



**CITY OF SUNNYVALE  
REPORT  
Planning Commission**

**March 22, 2004**

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**SUBJECT:**           **2004-0112 - First Community Housing** [Applicant]  
                  **Sunnyvale Inn LLC** [Owner] - Application for related  
                  proposals for a 1.59 acre site located at **940 W. Weddell**  
                  **Drive** C-2/PD (Highway Business/Planned Development)  
                  Zoning District. (Mitigated Negative Declaration) (APN: 110-  
                  12-078)

Resolution       **General Plan Amendment** from Commercial General  
                  Business to High Density Residential (27-45 du/acre);

Introduction of   **Rezone** from C-2/PD (Highway Business/Planned  
an Ordinance     Development) to R-4/PD (High Density Residential/Planned  
                  Development) Zoning District, and

Motion           **Special Development Permit** to allow conversion of an  
                  existing hotel building to a 42-unit apartment building with  
                  associated minor additions.

**REPORT IN BRIEF**

**Existing Site**       95-room motel  
**Conditions**

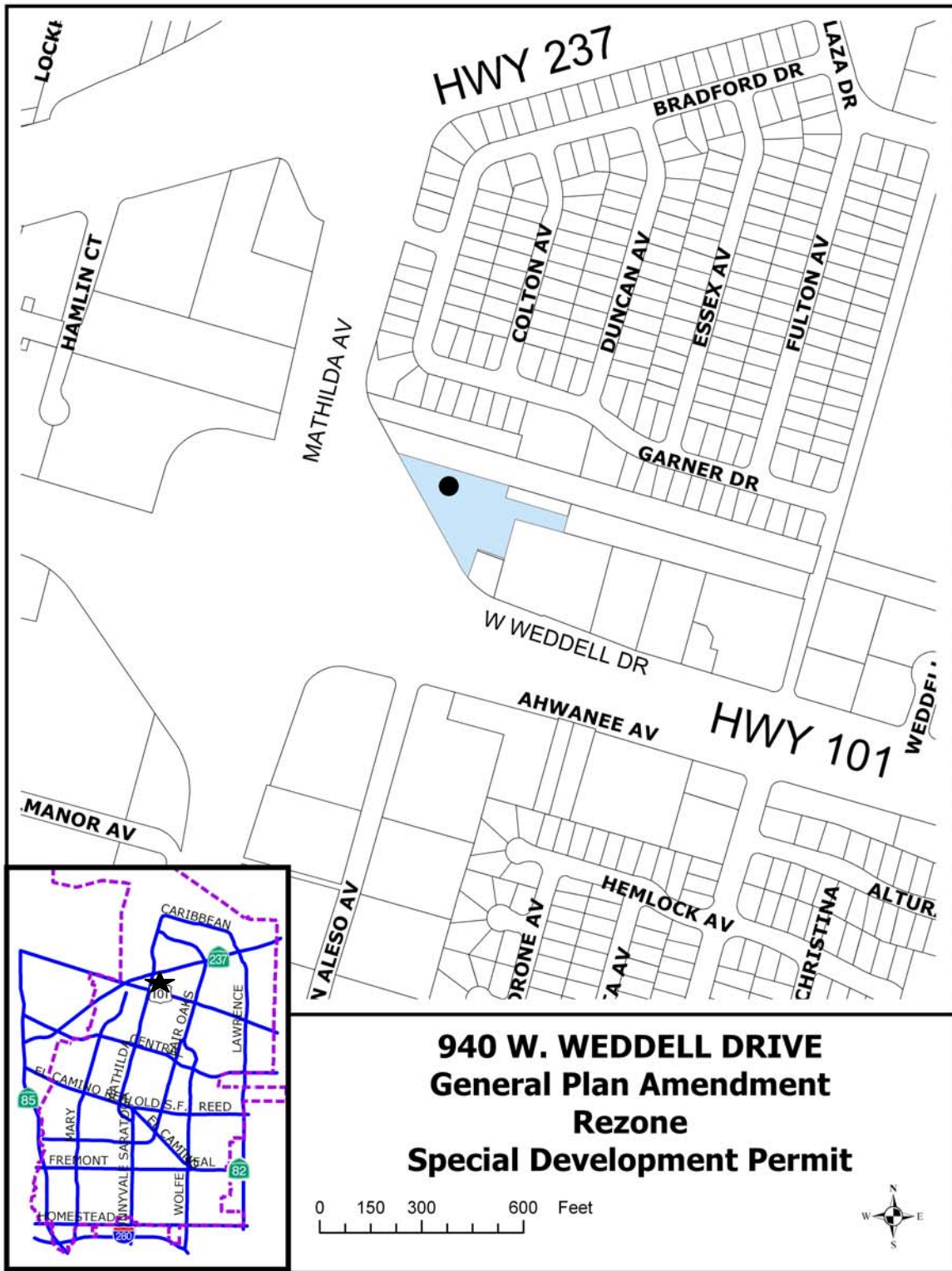
**Surrounding Land Uses**

North	Hetch-Hetchy Right of Way Orchard Gardens Park Single Family Residential
South	Highway 101
East	High Density Residential Apartments
West	High Density Residential Apartments Mathilda Avenue

**Issues**           Appropriateness of Use  
                  Useable Open Space

**Environmental**   A Mitigated Negative Declaration has been prepared  
**Status**           in compliance with California Environmental Quality  
                  Act provisions and City Guidelines.

**Staff**            Approve a Reduced Project with Conditions  
**Recommendation**



**PROJECT DATA TABLE**

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
<b>General Plan</b>	Commercial General Business	High Density Residential	With Council Approval of GPA
<b>Zoning District</b>	C-2/PD	R-4/PD	With Council Approval of RZ
<b>Lot Size (s.f.)</b>	68,250	Same	8,000 min.
<b>Gross Floor Area (s.f.)</b>	43,381	4,431 building addition 5,280 carports 53,092 total	No max.
<b>Lot Coverage (%)</b>	16,197 sq. ft. 23.7%	22,954 sq. ft. 33.6%	40% max.
<b>No. of Units</b>	95 hotel rooms	42 apartments	57 max.
<b>Density (units/acre)</b>	N/A	26.75	45 du/ac. max. with density bonus
<b>Meets 75% min?</b>	N/A	No (74.4%)	Housing Policy
<b>Bedrooms/Unit</b>	N/A	22 one-bdrms 14 two-bdrms 6 three-bdrms	N/A
<b>Unit Sizes (s.f.)</b>	N/A	1-bdrm – 580 2-bdrm – 900 3-bdrm – 1257	N/A
★ <b>Lockable Storage/Unit</b>	N/A	0	300 cu. ft. min.
<b>No. of Buildings On-Site</b>	2	Same	N/A
★ <b>Distance between Buildings</b>	10.3 ft.	Same	20 ft.
<b>Building Height (ft.)</b>	32.5 ft.	33.66 ft.	55 ft. max.
<b>No. of Stories</b>	3	Same	4 max.
<b>Setbacks</b>			
★ <b>• Front (W. Weddell Drive)</b>	25' to porte cochere (canopy over drive aisle)	8' to carports	20 min.
<b>• Right Side</b>	44'2"	Same	15 min.
<b>• Rear</b>	36'8"	Same	20 min.

	<b><u>EXISTING</u></b>	<b><u>PROPOSED</u></b>	<b><u>REQUIRED/ PERMITTED</u></b>
★ • <b>Total Landscaping</b>	11,509	14,031	15,750 min.
• <b>Landscaping / Unit</b>	N/A	334	375 min.
• <b>Usable Open Space Total</b>	N/A	4,828 – courtyard 2,730 - balconies*	15,960 min.
• <b>Useable Open Space/Unit</b>	N/A	179 including balconies*	380 min.
• <b>Frontage Width (ft.)</b>	9.5	9.5 ft.	15 ft. min.
★ • <b>Total Spaces</b>	N/A	71	73 min.
• <b>Standards</b>	N/A	45	66 min.
• <b>Compacts / %</b>	N/A	26 (90% of unassigned spaces)	7 (35% of unassigned) max.
• <b>Accessible</b>	2	4	2 min.
• <b>Covered Spaces</b>	N/A	42	42 min.
★ • <b>Parking lot shading</b>	N/A	Less than 50%	50% min. required
• <b>Bike Parking</b>	N/A	5 Class II Spaces	5 Class II Spaces min.
• <b>Trash Pickup</b>	Enclosure	Same	Enclosure

\* Balconies are substandard in minimum dimension and size.

★ Starred and shaded items indicate deviations from Sunnyvale Municipal Code Requirements.

## **ANALYSIS**

### **Background**

**Previous Actions on the Site:** The following table summarizes previous planning applications related to the subject site.

<b>File Number</b>	<b>Brief Description</b>	<b>Hearing/Decision</b>	<b>Date</b>
2447	Use Permit - Develop 87-unit hotel	Planning Commission Approved	6/12/72
2510	Rezone - Zone from R-4 to C-2/PD	City Council Approved	1/22/74

File Number	Brief Description	Hearing/Decision	Date
2844	Use Permit – Dancing / Music in Cocktail Lounge	Planning Commission Approved	05/13/74
3728	Use Permit - Auto Rental in conjunction with motel	City Council Approved	08/08/78
2003-0480	General Plan Initiation - Initiate a Study to consider High Density Residential	City Council Approved	07/2/03

**Description of Proposed Project**

The current project site is occupied by a 95-room hotel with a restaurant/bar. The project proposal includes a General Plan Amendment, Rezone and Special Development Permit to convert these two buildings into 42 affordable apartments. This conversion includes a 4,431 sq. ft. addition, construction of carports, and modification to the site's parking and landscaping to accommodate the use.

Three types of approvals are required to permit this project: a General Plan Amendment to allow high-density residential, a Rezone to bring the zoning into conformance with the General Plan and a Special Development Permit to permit the use, site and building modifications.

**Surrounding Uses:** The project is surrounded by a variety of high density residential uses and is also adjacent to Orchard Gardens Park. (Please see Attachment 4 for a map showing surrounding uses, parks and mass transit options. )

The project is served by the Lakewood Elementary School, part of the Sunnyvale School District. According to student generation rates used by a consultant to the Sunnyvale School District in a 2001 study, the highest generation rate is 0.30 per unit for an additional 13 school children in K-8. The District has been notified of this application.

**Environmental Review**

A Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act provisions and City Guidelines. An initial study has determined that the proposed project would not create any significant environmental impacts with implementation of the recommended mitigation measure (see Attachment 3, Initial Study).

All of the recommended mitigation measures pertain to noise impacts. The primary source of noise is the traffic from Highway 101. The acoustical

consultant suggested mitigation measures that include special window installation or ventilation systems. These mitigation measures are included in the Mitigated Negative Declaration as well as Conditions of Approval #10.

### **General Plan Amendment**

**Change Under Consideration:** Change from Commercial General Business to High Density Residential (27-45 du/acre). Commercial General Business permits commercial uses that need exposure to high volumes of traffic such as restaurants, motels and auto dealerships.

**Objective:** To allow for conversion of an existing hotel building to a high-density residential use.

**Loss of Commercial Land:** In the past 10 years, the City of Sunnyvale has approved the following General Plan Amendments from commercial/industrial use to a residential designation:

1. *1045 Reed Avenue* (Commercial Neighborhood Shopping to Residential Low-Medium Density) 7 detached single family homes on a 0.7 acre site.
2. *1002 W. Washington Avenue / Mary Manor Shopping Center*(Commercial Neighborhood Shopping to Low-Medium Density Residential) Maintained a 1.14 acre site for a small neighborhood commercial center, the remaining 2.86 acres was constructed with 32 detached single family homes.
3. *604 S. Fair Oaks* (Commercial Neighborhood Shopping to Low Medium Density Residential) Allow construction of 23 apartment units on a 0.6 acre former gas station site.
4. *Downtown Specific Plan* – A mix of actions was approved which increased commercial/office intensity by approximately 200,000 sq. ft. and 760 new residential units primarily in the central part of Downtown and west side of Mathilda Avenue.

**New Hotel Development:** In that time period, the Planning Commission approved five new hotel projects for a total of 415 rooms. (Silicon Valley Inn on Weddell Dr., The Corporate Inn on E. El Camino Real, Larkspur Landing on N. Mathilda Avenue, Sunnyvale Grand Hotel on W. El Camino Real and Marriott Courtyard at S. Bernardo). No hotels have been demolished or converted in the last 10 years.

**Site Characteristics and Surroundings:** The easterly and northwesterly adjoining properties have a High Density Residential designation. The single family homes to the north of the John W. Christian Greenbelt are designated Low Density Residential. To the south, across Highway 101, the properties are

also High Density Residential. The proposed General Plan designation would be compatible with the immediately surrounding properties.

The site is located along a U.S. Highway 101 frontage road which is accessed from Ross Drive, halfway between the off-ramp from Highway 101 and the on-ramp for Route 237. The first floor, blocked by a masonry sound wall, does not have visibility from the highway. The site is appropriately sited for a destination commercial use but is too small for destination retail. The property is poorly sited for uses that need pass-by traffic such as neighborhood retail, restaurant and other commercial uses.

Staff finds that this General Plan amendment is consistent with the Goals and Policies located in Attachment 1 and is compatible with the surrounding properties. The proposed amendment will not be detrimental to the amount of commercial or hotel in the City and supports the amendment to High Density Residential.

### **Rezoning**

**Change Under Consideration:** Rezone from C-2/PD (Commercial Highway Business/Planned Development) to R-4/PD (High Density Residential/Planned Development).

**Objective:** To bring the zoning into conformance with the proposed General Plan, allowing for high-density residential uses.

**Discussion:** R-4 is the only Zoning District compatible with the High-Density Residential designation, allowing primarily high-density residential uses. The site was previously Zoned R-4 prior to the C-2/PD Zoning approved for construction of the hotel in 1974. The Planned Development Combining District is appropriate for this site, meeting several of the guidelines adopted by Council for application of the PD (see Attachment 1, Findings). Staff believes the R-4/PD Zoning District is appropriate for the site and compatible with the proposed General Plan.

### **Special Development Permit**

**Use:** The proposed project creates 42 affordable apartments for low income families (families which earn at or below 40% of the median income). A community room and computer lab is available on the first floor of the smaller building for resident use with a live-in manager's unit across the hall.

There are two other affordable housing projects along West Weddell. One is directly to the east and consists of 62 affordable apartments which are also owned and managed by First Community Housing. The second is a Single

Room Occupancy (SRO) hotel at the corner of West Weddell and Borregas, containing 198 units.

**Site Layout:** The site is triangular with the bulk of parking and landscaping between the buildings and the street. One L-shaped three story building is located directly behind a smaller two-story building (see Attachment 3, Site Plan).

The applicant proposes to add a 3-story addition to the west side of the rear building and carports over the front parking spaces. An existing swimming pool would be filled in and converted to an enclosed courtyard for useable open space. The existing trash enclosure at the rear of the site would be improved to accommodate the trash and recycling for the residents.

**Architecture:** The existing buildings have flat roofs with parapets, balconies with metal guard rails and sliding windows. The smaller building in front has a porte cochere that forms the dominant entry statement for the building.

The applicant is proposing modifications that create a modern architectural style and build on the existing architectural elements. The project uses three methods to improve the architecture: an addition to the western side of the building, using new building materials and creating a brighter color palette to update the structure. The following is a list of the primary elements:

- The new addition contains wing walls (tall walls which project from the building) to add interest and break up the plane of the building.
- New siding will be applied to sections of the existing building and the new addition to create a cohesive look.
- Larger windows will be placed in the new addition to bring more light to the interior hallways.
- Wood patio fences and metal guard rails will be placed around new and existing balconies.
- Colors of putty gray and silver gray will make up the base of the building, with a lime accent color for the wing walls to brighten the building.

**Green Building Materials:** This project will try to achieve LEED (Leadership in Energy and Environmental Design) certification standards using composite or recycled materials and photovoltaic (solar) carport roofs (Condition of Approval #13). These materials consist of a composite wood-like material for the privacy fences and “Hardie” lap siding for the building. The applicant investigated putting in individual water meters for each unit to promote resident awareness of water useage, but the cost was prohibitive.

The following City-Wide Design Guidelines were considered in the analysis of the project architecture.

<b>Design Policy or Guideline (Architecture)</b>	<b>Comments</b>
<i>B1. Break up large buildings into groups of smaller segments whenever possible, to appear smaller in mass and bulk.</i>	The proposal adds architectural projections such as wing walls and different materials in order to break up the building and add interest.
<i>B11. Maintain the scale and character of the existing main structure in building additions by retaining similar proportions and rhythm present on the main structures.</i>	The proposed addition is compatible with the scale and character of the main building.

**Landscaping and Open Space:** The site has limited landscaping and open space. Most of the current lot is paved and primary landscape areas are located along the perimeter of the site and building. (See Attachment 3, Landscape Plan). Useable open space is limited due to the layout of the existing building and the parking demands for the site. Useable open space is defined as an area suitable for recreation, with a minimum of 12 ft. in any dimension for courtyard (minimum 200 sq. ft.) or 8 ft. in any dimension for balconies (minimum of 80 sq. ft. in area). The only area on site that meets that definition is the ground-level courtyard area, with 4,828 sq. ft. While existing and proposed balconies will provide some private outdoor space with sizes ranging from 55 to 106 sq. ft., they do not meet the minimum area or dimensional standards in the Sunnyvale Municipal Code.

There are several methods to address this deficiency:

<b>Method</b>	<b>Pro/Con</b>
A.Improve direct access to Orchard Gardens Park. (Condition of Approval #15.	<i>PRO:</i> Uses existing nearby amenities. <i>CON:</i> Depends on public facilities for private useable open space needs.
B.Use facilities at adjacent affordable housing complex (also owned by applicant) which has a pool, tot lot, landscaped courtyard and community room with library. (Condition of Approval #16)	<i>PRO:</i> Uses existing nearby amenities. <i>CON:</i> Adjacent site does not have sufficient additional useable open space to make up the lack in this project. <i>Note: Useable open space standard was 200 sq. ft./unit when adjacent site was developed.</i>
C.Eliminate proposed addition, leaving approximately 1,500 sq. ft. of additional useable open space that could be used for a tot lot. (Condition of	<i>PRO:</i> Creates an additional open space suitable for a tot-lot. Eliminates parking deviation. <i>CON:</i> Not enough to bring the site up to code standards. Removes 3-bedroom units

Method	Pro/Con
Approval # 11)	from the project that are needed by larger families. Removes addition which adds architectural interest to the project. Brings the project below the 75% of maximum density for the R-4 Zoning District.
D. Eliminate three parking spaces to the west of the proposed addition, creating approximately 300 sq. ft. additional open space.	<i>PRO</i> : Does not require elimination of proposed addition containing 3-bedroom units <i>CON</i> : Removes uncovered parking spaces.
E. Install a roof-top garden.	<i>PRO</i> : Efficiently uses building area <i>CON</i> : Very expensive to change structure to support garden and add accessible elevator.
F. Pursue a permit with the Hetch-Hetchy to use the right-of-way directly behind the project for useable open space.	<i>PRO</i> : Makes use of an existing un-needed parking lot. <i>CON</i> : Hetch-hetchy may not grant the permit. This option may interfere with the City's long-term plan of extending the John D. Christian Greenbelt.

Staff recommends methods A, B and C. (Conditions of Approval 14, 15, and 11). There are several drawbacks to Method C, however, this will eliminate the parking deviation and improve the open space on site, reducing the total units to 36 and increasing the open space by 1,500 sq. ft. This modification will result in 251 sq. ft. of useable open space per unit, 129 sq. ft. short of the R-4 standard and 49 sq. ft. less than provided by the adjacent site. Combined, these methods will create a variety of open space opportunities while making full use of existing amenities surrounding the project.

**Parking:** The site proposes 71 spaces where 73 spaces are required for the proposed mix of 1, 2 and 3-bedroom units. Of these spaces, 42 are covered and 90% of the remaining uncovered spaces are compact-sized where a maximum of 35% is allowed by Code. The applicant shall issue Eco-Passes to all residents of the project (Condition of Approval #21).

At the Planning Commission Study Session, the Commission requested that the applicant redesign the site with standard sized spaces. This redesign removes two spaces for a total of 69 parking spaces. Staff finds this reduction acceptable and recommends that redesign in Condition of Approval #20. If six units are removed as recommended by staff, the parking requirement would be met with 69 spaces where 61 are required.

The applicant is considering adding more carports to the project to increase the amount of photovoltaics on the site. Staff recommends as Condition of

Approval #26 that this be allowed for a maximum of 40% lot coverage on the site.

### **Transportation Impact Fee**

This project is not subject to the transportation impact fee because the proposed use has fewer trips than the previous hotel use.

### **Compliance with Development Standards**

The PD Combining District allows consideration of deviations based on other benefits the project provides. The benefits include:

- Affordable housing for very low and extremely low income households
- Green building materials
- Re-use of an existing building
- Improved architecture
- Increased landscape area

The site complies with all development standards except for the following:

<b>Deviation Requested</b>	<b>Description</b>	<b>Staff Recommendation</b>
<b>Deviations That Exist With Current Use Of Site</b>		
1. Distance between buildings	Less than 20 ft. minimum	<u>Approval:</u> This is an existing condition which cannot be rectified without demolition of one of the buildings.
2. Landscaping Frontage width	Less than 15 ft. landscaping strip at inside edge of sidewalk	<u>Approval:</u> This is an existing condition. Due to the narrowness of the parking area in front of the hotel, the strip cannot be expanded without eliminating substantial numbers of parking spaces.
3. Parking Lot Shading	Less than 50% of the parking area shall be shaded.	<u>Approval:</u> The project proposes photovoltaic carport roofs. Shade trees would interfere with the effectiveness of the solar panels. Condition of Approval # 16c requires that maximum shade trees shall be planted where feasible.
<b>Deviations With Proposed Use</b>		
4. Front Setback	Less than 20 ft. with proposed carport structures	<u>Approval:</u> It is not unusual for apartment complexes to have carports between the buildings and the street. Due to site constraints with the existing building layout, the placement of the carports is logical and existing landscaping and substantial trees will screen the carports from the street.

<b>Deviation Requested</b>	<b>Description</b>	<b>Staff Recommendation</b>
5. Landscaping per unit	Less than 375 sq. ft./unit	<u>Approval with Modifications:</u> As discussed in the Landscaping section, staff recommends eliminating the proposed addition containing 6 three-bedroom units to provide additional open space and landscaping for the project.
6. Useable Open Space per unit	Less than 380 sq. ft./unit	
7. Lockable Storage	No lockable storage (300 cu. ft. required/unit)	<u>Approval with Conditions:</u> Staff recommends as Condition of Approval #14 that the applicant work to provide 200 cu. ft. of lockable storage per unit.
8. Parking	<ul style="list-style-type: none"> <li>• More than max. number of compact spaces</li> <li>• Less than min. number of spaces total</li> </ul>	<u>Approval:</u> The applicant will distribute Eco-Passes to all tenants in the existing building. With the modifications recommended by staff, this project will not deviate from the parking standard with 69 spaces where 61 is required.

Staff is able to support the deviations listed above as conditioned because of the benefits provided by the amount of affordable housing proposed, increased landscaping, use of green building techniques and adaptive reuse of an existing building.

### **Expected Impact on the Surroundings**

This project will upgrade the architecture of the building and add landscaping, improving the look of the site. The proposed use will have fewer vehicle trips than the hotel but generate more demand for park and school services than a commercial use. Parks and Recreation has reviewed this project and determined that the impact will not be detrimental to the nearby Orchard Gardens Park. With the modifications recommended by staff, the project will have a positive impact on the surrounding properties.

### **Findings, General Plan Goals and Conditions of Approval**

Staff was able to make the required Findings based on the justifications for the General Plan Amendment, Rezone and Special Development Permit.

- Findings and General Plan Goals are located in Attachment 1.
- Conditions of Approval are located in Attachment 2.

## **Fiscal Impact**

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No fiscal impacts other than normal fees and taxes are expected.

## **Public Contact**

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<b>Notice of Mitigated Negative Declaration and Public Hearing</b>	<b>Staff Report</b>	<b>Agenda</b>
<ul style="list-style-type: none"> <li>• Published in the <i>Sun</i> newspaper</li> <li>• Posted on the site</li> <li>• Mailed to the property owners and tenants within 300 ft. of the project site</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City of Sunnyvale's Website</li> <li>• Provided at the Reference Section of the City of Sunnyvale's Public Library</li> </ul>	<ul style="list-style-type: none"> <li>• Posted on the City's official notice bulletin board</li> <li>• City of Sunnyvale's Website</li> <li>• Recorded for SunDial</li> </ul>

## **Alternatives**

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1. Adopt the Mitigated Negative Declaration, approve the Resolution to amend the General Plan from Commercial General Business to High Density Residential, Introduce an Ordinance to Rezone 940 W. Weddell from C-2/PD to R-4/PD and approve the Special Development Permit with recommended conditions requiring elimination of the proposed addition, reducing the project to 36 units and increasing useable open space by 1,500 sq. ft.
2. Adopt the Mitigated Negative Declaration, approve the Resolution to amend the General Plan from Commercial General Business to High Density Residential, Introduce an Ordinance to Rezone 940 W. Weddell from C-2/PD to R-4/PD and approve the Special Development Permit as proposed by the applicant.
3. Adopt the Mitigated Negative Declaration, do not approve the Resolution to amend the General Plan from Commercial General Business to High Density Residential, do not Introduce an Ordinance to Rezone 940 W. Weddell from C-2/PD to R-4/PD or approve the Special Development Permit.
4. Do not adopt the Mitigated Negative Declaration and direct staff as to where additional environmental analysis is required.

**Recommendation**

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Recommend Alternative 1 to the City Council.

Prepared by:

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Diana O'Dell  
Project Planner

Reviewed by:

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Fred Bell  
Principal Planner

Reviewed by:

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Trudi Ryan  
Planning Officer

Attachments:

1. Recommended Findings
2. Recommended Conditions of Approval
3. Mitigated Negative Declaration
4. Site and Architectural Plans
5. Site Photos
6. Map of Surrounding Uses and Mass Transit Options
7. Letter from the Applicant
8. Letters from other interested parties

## **Applicable Goals and Policies**

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### **Housing and Community Revitalization Sub-element**

Policy C.1 – Continue efforts to balance the need for additional housing with other community values, such as preserving the character of established neighborhoods, high quality design, and promoting a sense of identity in each neighborhood.

Goal D: Maintain diversity in tenure, type, size and location of housing to permit a range of individual choices for all current residents and those expected to become city residents.

Goal E: Maintain and increase housing units affordable to households of all income levels and ages.

### **Land Use and Transportation Element**

Policy C2.4: Determine appropriate density for housing based on site planning opportunities and proximity to services.

Policy N1.2: Require new development to be compatible with the neighborhood, adjacent land uses and the transportation system.

### **Community Design Sub-Element**

Policy C.4: Encourage quality architectural design which improves the City's identity, inspires creativity and heightens individual as well as cultural identity.

## **Recommended Findings – General Plan Amendment**

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In order to make the findings for a General Plan Amendment, consistency with the General Plan must be established. As shown in the above General Plan goals and policies, there are policies that support a high-density residential project. This land use is compatible with the surrounding General Plan designations and land uses and the location is appropriate for high density.

**Recommended Findings - Rezone**

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If a General Plan Designation of High Density Residential is adopted, the R-4 Zoning District is the only district compatible with that designation. The Planned Development combining district is appropriate according to the guidelines adopted by City Council as the Combining District:

- Facilitates development or redevelopment of a site to improve the neighborhood.
- Allows for a proposed use that is compatible with the neighborhood but requires deviations from the development standards for a successful project.

Staff recommends the rezoning to R-4/PD.

**Recommended Findings - Special Development Permit**

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1. The proposed use attains the objectives and purposes of the General Plan of the City of Sunnyvale as the project

The project as proposed would meet the objectives and purposes of the General Plan as it helps ease the City's jobs/housing balance and provides 42 affordable housing units as identified in *the Housing and Community Revitalization Sub-Element* of the General Plan.

The project is also in compliance with the *Community Design Sub-Element* as the proposed building additions are compatible with the existing building and in scale with surrounding development.

2. The proposed use ensures that the general appearance of proposed structures, or the uses to be made of the property to which the application refers, will not impair either the orderly development of, or the existing uses being made of, adjacent properties. The project uses an existing building and proposes a use consistent with surrounding properties. Proposed architectural and landscaping modifications will enhance the look of the site.

**Recommended Conditions of Approval - Special Development Permit**

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In addition to complying with all applicable Federal, State and local rules and regulations, including the Sunnyvale Municipal Code the permittee expressly accepts and agrees to comply with the following conditions of approval for this permit.

Unless otherwise noted, all conditions shall be subject to the review and approval of the Director of Community Development.

**GENERAL**

1. Execute a Special Development Permit document prior to issuance of the building permit.
2. The Special Development Permit shall be null and void two years from the date of approval by the final review authority at a public hearing if the approval is not exercised, unless a written request for an extension is approved prior to expiration date.
3. Reproduce the conditions of approval on the plans submitted for building permits.
4. 100% of the residential units shall be affordable to households whose incomes are at or below 40% of the median income. Affordable rents are defined to mean rents that do not exceed 30% of household income.
5. Project shall be in substantial conformance to the approved plans dated March 22, 2004. The Director of Community Development may approve minor changes; major changes may be approved at a public hearing by the City Council.
6. Specific deviations allowed with this Special Development Permit are as follows:
  - a. Front Setback of 8 ft.
  - b. Distance between buildings of 10.3 ft.
  - c. Lockable storage of less than 300 cu. ft.
  - d. Landscape Frontage to be 9 ft.
  - e. Useable open space of 251 sq. ft./unit.
  - f. Landscaping of less than 375 sq. ft./unit.
  - g. Parking lot shading of less than 50%.
7. All existing and proposed roof equipment shall be screened to the height of the highest piece equipment in accordance with plans approved by the Director of Community Development.

8. All air conditioning units shall be fully screened or installed flush with the building wall.
9. Submit a detailed recycling and solid waste disposal plan to the Director of Community Development for approval prior to issuance of the building permit.

#### **MITIGATION MEASURES**

10. In addition to complying with applicable City Codes, Ordinances, and Resolutions, the following mitigation measures are incorporated into the project to minimize the identified potential environmental impacts. All mitigations are to be completed by the developer prior to occupancy.
  - a. Maintain closed at all times all windows and glass doors of living spaces of the project with the exception of the first floor units along the north façade of the building. Provide some type of mechanical ventilation. The windows specified to be maintained closed are to be operable.
  - b. All of these units with unshielded entry doors having a direct or side orientation toward the primary noise source must be 21-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.
  - c. If any penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations can be controlled by sealing all cracks and clearance spaces with a non-hardening caulking compound.
  - d. At first floor living spaces with a direct or side view to Highway 101, install windows rated Sound Transmission Class (STC) 27 and glass (patio) doors rated minimum STC 22. At the second and third floor living spaces with a direct or side view of Highway 1010, install windows and glass (balcony) doors rated minimum STC 33.
  - e. At first floor living spaces that do not have an orientation toward the Highway, install windows and glass doors rated minimum STC 22. At the second and third floor units of the small building facing the large building and the Lounges facing northeast, install windows rated minimum STC 27.
  - f. At second and third floor living spaces on the north side of the building, install windows and glass doors rated minimum STC 22.
  - g. If "through-the-wall" air conditioners are used to ventilate noise impacted spaces, the air-conditioner units shall be placed within a noise controlled balcony or patio and shall be located as close to

the balcony floor or patio pad as possible. These air-conditioner units shall be rated minimum STC 24.

- h. Install all windows and doors in an acoustically-effective manner. This includes that the sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration. Exterior doors must seal air tight around the full perimeter when in the closed position.

## **BUILDING DESIGN**

- 11. The project shall be redesigned to eliminate the proposed addition, providing approximately 1,500 sq. ft. more useable open space. The subject elevation shall be modified to reflect enhanced architectural features and is subject to review and approval by the Director of Community Development.
- 12. Final exterior building materials and colors are subject to review and approval by the Director of Community Development prior to issuance of a building permit.
- 13. Apply for LEED certification from the U.S. Green Building Council prior to occupancy of the building.
- 14. Create 200 cu. ft./ unit of lockable storage space for the residents.

## **LANDSCAPING AND SITE PLANS**

- 15. The applicant shall be responsible for constructing a 4 ft. wide accessible path in Orchard Gardens Park. This path shall connect the entrance to the park from the northwesterly portion of the site to the bike path along the Greenbelt. The path shall be constructed of concrete or asphalt and meet all ADA standards prior to issuance of building occupancy.
- 16. The property owner shall file a reciprocal easement with the adjacent 62-unit apartment complex for use of the community room, courtyard, tot lot and swimming pool prior to issuance of the building permit.
- 17. Landscape and irrigation plans shall be subject to approval by the Director of Community Development prior to the issuance of a Building Permit. Landscaping and irrigation shall be installed prior to occupancy. The Landscape Plan shall include the following elements:
  - a. Any protected trees, (as defined in SMC Section 19.94) approved for removal, shall be replaced with a specimen tree of at least 24-inch box size. In addition, of all other new trees installed, 10% shall be 24-inch box size or larger and no tree shall be less than 15-gallon size.

- b. Ground cover shall be planted so as to ensure full coverage eighteen months after installation.
  - c. Where feasible, plant trees to ensure at least 50% of the parking area will be shaded within 15 years. The proposed trees shall not interfere with the proposed photovoltaic carport roofs.
- 18. Fencing design and colors are subject to approval by the Director of Community Development prior to issuance of the building permit. Wherever the grade differential is one foot or higher, a concrete or masonry retaining wall shall be installed.
- 19. Submit details and specifications of all exterior lighting for review and approval by the Director of Community Development. Lighting plan should include:
  - a. Sodium vapor (of illumination with an equivalent energy savings).
  - b. Pole heights to be uniform and compatible with the areas, including the adjacent residential areas. Light standards shall not exceed 10 feet in height.
  - c. Provide photocells for on/off control of all security and area lights.
  - d. All exterior security lights shall be equipped with vandal resistant covers.
  - e. Wall packs shall not extend above the roof of the building.
  - f. Lights shall have shields to prevent glare onto adjacent residential properties.

**PARKING AND TRANSPORTATION**

- 20. Redesign the parking to eliminate compact spaces for a total reduction of 2 spaces for 69 where 61 are required with the building modification.
- 21. The applicant shall issue yearly Eco-Passes to residents of the apartment complex for the duration of the use.
- 22. Parking spaces shall be maintained at all times to allow for the parking of automobiles. No fee shall be charged for parking.
- 23. Each unit shall be assigned one parking space. All other spaces shall be available for guests or additional resident vehicles.
- 24. Unenclosed storage of any vehicle longer than 18-feet intended for recreation purposes shall be prohibited on the premises.
- 25. Five Class II bicycle racks shall be provided on site. The location of the racks shall be approved by the Director of Community Development prior to issuance of a building permit.
- 26. Additional carports may be permitted, provided that no more than 1 is assigned per unit and lot coverage of 40% is not exceeded.

E11440



PLANNING DIVISION  
CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CALIFORNIA 94088-3707

File Number: 2004-0112  
No. 04-02

**NOTICE OF INTENT TO ADOPT  
MITIGATED NEGATIVE DECLARATION**

This form is provided as a notification of an intent to adopt a Mitigated Negative Declaration which has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

**PROJECT TITLE:**

Application for a **General Plan Amendment, Rezone, and, Special Development Permit** filed by First Community Housing.

**PROJECT DESCRIPTION AND LOCATION (APN):**

**First Community Housing** [Applicant] **Sunnyvale Inn LLC** [Owner] - Application for related proposals for a 1.59 acre site located at **940 W. Weddell Drive** C-2/PD (Highway Business/Planned\*Development) Zoning District.

- **General Plan Amendment** from Commercial General Business to High Density Residential (27-45 du/acre);
- **Rezone** from C-2/PD (Highway Business/Planned Development) to R-4/PD (High Density Residential/Planned Development) Zoning District, and
- **Special Development Permit** to allow conversion of an existing hotel building to a 42-unit apartment building with associated minor additions.

**WHERE TO VIEW THIS DOCUMENT:**

The **Mitigated Negative Declaration**, its supporting documentation and details relating to the project are on file and available for review and comment in the Office of the Secretary of the Planning Commission, City Hall, 456 West Olive Avenue, Sunnyvale.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to **5:00 p.m. on Tuesday, March 16, 2004**. Protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a **Mitigated Negative Declaration** will be considered by the adopting authority, whose action on the protest may be appealed.

**HEARING INFORMATION:**

A public hearing on the project is scheduled for:

**Monday, March 22, 2004 at 8:00 p.m.** by the Planning Commission in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale; and on,

**Tuesday, April 6, 2004 at 7:30 p.m.** by the City Council in the Council Chambers, City Hall, 456 West Olive Avenue, Sunnyvale.



PLANNING DIVISION  
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**TOXIC SITE INFORMATION:**

(No) listed toxic sites are present at the project location.

Circulated On February 25, 2004

Signed: \_\_\_\_\_

  
Fred Bell, Principal Planner



PLANNING DIVISION  
CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CALIFORNIA 94088-3707

E11440

ATTACHMENT 3  
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File Number: 2004-0112  
No. 04-02

## MITIGATED NEGATIVE DECLARATION

This **Mitigated Negative Declaration** has been prepared in compliance with the provisions of the California Environmental Quality Act of 1970, as amended, and Resolution #193-86.

### PROJECT TITLE:

Application for a **General Plan Amendment, Rezone, and, Special Development Permit** filed by First Community Housing.

### PROJECT DESCRIPTION AND LOCATION (APN):

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- **Rezone** from C-2/PD (Highway Business/Planned Development) to R-4/PD (High Density Residential/Planned Development) Zoning District, and
- **Special Development Permit** to allow conversion of an existing hotel building to a 42-unit apartment building with associated minor additions.

### FINDINGS:

The Director of Community Development of the City of Sunnyvale, California, hereby determines that an environmental impact report is not required. There are sufficient environmental controls incorporated into the Zoning and Subdivision regulations to ensure no significant detrimental effect.

The above determination is based upon the initial study conducted in this matter, information provided by the applicant in an "Application for Environmental Clearance" and is based on the fact that the use is specifically permitted by a use permit and that the use would be in keeping with the character of the proposed Zoning District. Site and architectural control will be exercised over the proposed development by the Planning Commission and City Council. No endangered species are known to depend on this site for habitat.

### MITIGATIONS:

#### *WHAT:*

1. Maintain closed at all times all windows and glass doors of living spaces of the project with the exception of the first floor units along the north façade of the building. Provide some type of mechanical ventilation. The windows specified to be maintained closed are to be operable.
2. All of these units with unshielded entry doors having a direct or side orientation toward the primary noise source must be 21-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction with effective weather seals around the full perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.



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No. 04-02

3. If any penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations can be controlled by sealing all cracks and clearance spaces with a non-hardening caulking compound.
4. At first floor living spaces with a direct or side view to Highway 101, install windows rated Sound Transmission Class (STC) 27 and glass (patio) doors rated minimum STC 22. At the second and third floor living spaces with a direct or side view of Highway 1010, install windows and glass (balcony) doors rated minimum STC 33.
5. At first floor living spaces that do not have an orientation toward the Highway, install windows and glass doors rated minimum STC 22. At the second and third floor units of the small building facing the large building and the Lounges facing northeast, install windows rated minimum STC 27.
6. At second and third floor living spaces on the north side of the building, install windows and glass doors rated minimum STC 22.
7. If "through-the-wall" air conditioners are used to ventilate noise impacted spaces, the air-conditioner units shall be placed within a noise controlled balcony or patio and shall be located as close to the balcony floor or patio pad as possible. These air-conditioner units shall be rated minimum STC 24.
8. Install all windows and doors in an acoustically-effective manner. This includes that the sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration. Exterior doors must seal air tight around the full perimeter when in the closed position.

**WHEN:**

All improvements shall be completed prior to occupancy of the building.

**WHO:**

The developer is responsible for completing all of the above mitigation measures.

**HOW:**

These measures shall be clearly marked and demonstrated in the plans submitted for building permits.

This **Mitigated Negative Declaration** may be protested in writing by any person prior to 5:00 p.m. on **Tuesday, March 16, 2004**. Such protest shall be filed in the Department of Community Development, 456 W. Olive Avenue, Sunnyvale and shall include a written statement specifying anticipated environmental effects which may be significant. A protest of a Negative Declaration will be considered by the adopting authority, whose action on the protest may be appealed.

Circulated On February 25, 2004

Adopted On \_\_\_\_\_

Signed: 

Fred Bell, Principal Planner

Verified: \_\_\_\_\_

Fred Bell, Principal Planner



PLANNING DIVISION  
CITY OF SUNNYVALE  
P.O. BOX 3707  
SUNNYVALE, CALIFORNIA 94088-3707

E11440

ATTACHMENT 3  
PAGE 5 OF 23  
File Number: 2004-0112  
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## California Department of Fish and Game CERTIFICATE OF FEE EXEMPTION

### De Minimis Impact Finding

#### PROJECT TITLE/LOCATION (INCLUDE COUNTY):

The **General Plan Amendment**, **Rezone**, and **Special Development Permit** are located on **940 W. Weddell Drive**, City of Sunnyvale, County of Santa Clara in a C-2/PD (Highway Business/Planned Development) Zoning District. APN: (110-12-078)

#### PROJECT DESCRIPTION:

**First Community Housing** [Applicant] **Sunnyvale Inn LLC** [Owner] - Application for related proposals for a 1.59 acre site located at **940 W. Weddell Drive** C-2/PD (Highway Business/Planned Development) Zoning District.

- **General Plan Amendment** from Commercial General Business to High Density Residential (27-45 du/acre);
- **Rezone** from C-2/PD (Highway Business/Planned Development) to R-4/PD (High Density Residential/Planned Development) Zoning District, and
- **Special Development Permit** to allow conversion of an existing hotel building to a 42-unit apartment building with associated minor additions.

#### FINDINGS OF EXEMPTION:

1. This project is in an urban setting.
2. There is no alteration of land or effect on fish or wildlife.

#### CERTIFICATION:

I hereby certify that the public agency has made the above finding and that the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

  
Fred Bell

Title: Principal Planner, Community Development  
Lead Agency: City of Sunnyvale  
Date: February 25, 2004

Project Title	First Community Housing at 940 W. Weddell Drive
Lead Agency Name and Address	City of Sunnyvale PO Box 3707 Sunnyvale, CA 94088-3707
Contact Person	Diana O'Dell
Phone Number	408-730-7452
Project Location	940 W. Weddell Drive
Project Sponsor's Name	First Community Housing
Address	2 North Second Street Suite 1250 San Jose, CA 95113
Zoning	C-2/PD (Proposed R-4/PD)
General Plan	Commercial General Business (Proposed High Density Residential)
Other Public Agencies whose approval is required	None

**Description of the Project:** The site contains two buildings that were used as a hotel. This project proposes to convert the existing hotel into a 42-unit apartment complex of affordable housing. This project will involve minor additions as well as new carport structures to provide the required covered parking spaces. The project also includes exterior modifications to update the architectural style and installation of new landscaping.

**Surrounding Uses and Setting:** The property is surrounded by high density housing and borders the Hetch-Hetchy right-of-way that is used for parking and public open space. Across Weddell Drive is Highway 101, a major roadway in the South Bay.

**EVALUATION OF ENVIRONMENTAL IMPACTS**

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Potentially Significant Unless Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section 17, "Earlier Analysis," may be cross-referenced).
6. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063 (c) (3) (d). In this case, a brief discussion should identify the following:
7. Earlier Analysis Used. Identify and state where they are available for review.
8. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
9. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project
10. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> Aesthetics             | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services                    |
| <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hydrology/Water Quality       | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Air Quality            | <input type="checkbox"/> Land Use/Planning             | <input type="checkbox"/> Transportation/Traffic             |
| <input type="checkbox"/> Biological Resources   | <input type="checkbox"/> Mineral Resources             | <input type="checkbox"/> Utilities/Service Systems          |
| <input type="checkbox"/> Cultural Resources     | <input type="checkbox"/> Noise                         | <input type="checkbox"/> Mandatory Findings of Significance |
| <input type="checkbox"/> Geology/Soils          | <input type="checkbox"/> Population/Housing            |   |

**DETERMINATION: (To be completed by the Lead Agency)**

On the basis of this initial evaluation:

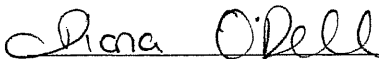
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared. ☐

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared. ☒

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required. ☐

I find that the proposed project MAY have a "potential significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed. ☐

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required. ☐



Signature

Diana O'Dell

Printed Name

February 19, 2004

Date

City of Sunnyvale

For (Lead Agency)

# Environmental Checklist Form

E11440

ATTACHMENT 3

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Project Number: 2004-0112  
Project Address: 940 W. Weddell Drive  
Applicant: First Community Housing

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
<b>1. AESTHETICS.</b> Would the project:					
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
b. Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 101
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
<b>2. AIR QUALITY:</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 94, 100, 111
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 94, 100, 111
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 96, 97, 100, 111
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	62. 63. 111. 112
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111. 112
<b>3. BIOLOGICAL RESOURCES:</b>					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109

## Environmental Checklist Form

E11440

Project Number: 2004-0112  
 Project Address: 940 W. Weddell Drive  
 Applicant: First Community Housing

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
b. Have a substantially adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
d. Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94, 111, 112, 109
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	41, 94, 111, 112
4. <b>CULTURAL RESOURCES.</b> Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 60, 61, 94, 111
b. Cause a substantial adverse change in the significance of an archaeological resources pursuant to Section 15064.5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 94
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	10, 42, 94, 111
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
5. <b>LAND USE AND PLANNING.</b> Would the project:					

# Environmental Checklist Form

E11440

ATTACHMENT 3

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Project Number: 2004-0112  
Project Address: 940 W. Weddell Drive  
Applicant: First Community Housing

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 12, 21, 28
b. Conflict with an applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	31, 28, 111
c. Conflict with any applicable habitat conservation plan or natural communities conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 41, 94, 111
6. <b>MINERAL RESOURCES.</b> Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 94
7. <b>NOISE.</b> Would the project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	See disc.
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 16, 26, 94, 111, 112
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 16, 26, 94, 111, 112
d. A substantially temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See disc.
8. <b>POPULATION AND HOUSING.</b> Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See disc.

## Environmental Checklist Form

E11440

Project Number: 2004-0112  
 Project Address: 940 W. Weddell Drive  
 Applicant: First Community Housing

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
of roads or other infrastructure)?					
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 111, 112
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 11, 111, 112
9. <b>PUBLIC SERVICES.</b> Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
a. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
b. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26, 65, 66, 103, 104
c. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	26, 65, 66, 103, 104
d. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	18
e. Other services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111
10. <b>MANDATORY FINDINGS OF SIGNIFICANCE</b>					
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 10, 26, 42, 59, 60, 61, 111, 112
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 111, 112

# Environmental Checklist Form

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Project Number: 2004-0112  
Project Address: 940 W. Weddell Drive  
Applicant: First Community Housing

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
past projects, the effects of other current projects, and the effects of probable future projects)?					
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	111, 112
<b>11. GEOLOGY AND SOILS.</b> Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UBC, UPC, UMC, NEC
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
b. Result in substantial soil erosion or the loss of topsoil?					"
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
d. Be located on expansive soil, as defined in Table 18-a-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	"

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
<b>12. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 87, 88, 89, 90, 111, 112
b. Require or result in construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
e. Result in a determination by the wastewater treatment provider which services or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 20, 24, 25, 87, 88, 89, 111, 112
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 22, 90, 111, 112
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 22, 90, 111, 112
<b>13. TRANSPORTATION/TRAFFIC.</b> Would the project:					
a. Cause an increase in the traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 71, 75-77, 111, 112
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 71, 75-77, 80, 84, 111, 112

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
agency for designated roads or highways?					
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112, 113
d. Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 71, 75-77, 80, 84, 111, 112
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 111, 112
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	37, 111
g. Conflict with adopted policies or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 12, 81, 111, 112
<b>14. HAZARDS AND HAZARDOUS MATERIALS.</b> Would the project?					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
g. Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	UFC, UBC, SVMC
<b>15. RECREATION</b>					
a. Would the project increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	2, 18, 111, 112
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 18, 111, 112
<b>16. AGRICULTURE RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94
c. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	94

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	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source
Farmland, to non-agricultural use					
17. <b>HYDROLOGY AND WATER QUALITY.</b> Would the project:					
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
b. Substantially degrade groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or surface runoff in a manner which would result in flooding on- or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
e. Create or contribute runoff which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
g. Place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112

	Potentially Significant Impact	Less than Sig. With Mitigation	Less Than Significant	No Impact	Source *
the failure of a levee or dam?					
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 24, 25, 111, 112

**Discussion:****CONSTRUCTION NOISE**

The construction and modifications associated with this project would increase the noise levels in the neighborhood. Construction for a project of this size can typically take a year to complete. SMC Section 16.08.150 regulates the hours of construction in order to reduce the noise impact on surrounding properties. Construction is permitted between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, 8:00 a.m. to 5:00 p.m. on Saturdays, and construction is prohibited on Sundays and national holidays. These restrictions are sufficient to reduce noise impact.

**AMBIENT TRAFFIC NOISE LEVELS IMPACTS FROM HIGHWAY 101**

A noise study was conducted to examine the noise impacts from Highway 101 on both the interior and exterior areas of the proposed project. Traffic on Mathilda Avenue, the Highway 101 off-ramp and West Weddell Drive do not significantly affect the on-site noise environment in relation to Highway 101 noise levels.

**INTERIOR NOISE LEVELS**

Interior noise level must be attenuated to 45 dB DNL according to both the City's General Plan and State of California Title 24 requirements. Noise exposures to the first floor units will be less than 45 dB DNL and are in compliance. However, second and third floor units closer to Highway 101 will exceed the 45 dB DNL interior limits.

The following mitigation measures are proposed:

**WHAT:**

1. Maintain closed at all times all windows and glass doors of living spaces of the project with the exception of the first floor units along the north façade of the building. Provide some type of mechanical ventilation. The windows specified to be maintained closed are to be operable.
2. All of these units with unshielded entry doors having a direct or side orientation toward the primary noise source must be 21-5/8" or 1-3/4" thick, insulated metal or solid-core wood construction with effective weather seals around the full

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- perimeter. Mail slots should not be used in these doors or in the wall of a living space, as a significant noise leakage can occur through them.
3. If any penetrations in the building shell are required for vents, piping, conduit, etc., sound leakage around these penetrations can be controlled by sealing all cracks and clearance spaces with a non-hardening caulking compound.
  4. At first floor living spaces with a direct or side view to Highway 101, install windows rated Sound Transmission Class (STC) 27 and glass (patio) doors rated minimum STC 22. At the second and third floor living spaces with a direct or side view of Highway 1010, install windows and glass (balcony) doors rated minimum STC 33.
  5. At first floor living spaces that do not have an orientation toward the Highway, install windows and glass doors rated minimum STC 22. At the second and third floor units of the small building facing the large building and the Lounges facing northeast, install windows rated minimum STC 27.
  6. At second and third floor living spaces on the north side of the building, install windows and glass doors rated minimum STC 22.
  7. If "through-the-wall" air conditioners are used to ventilate noise impacted spaces, the air-conditioner units shall be placed within a noise controlled balcony or patio and shall be located as close to the balcony floor or patio pad as possible. These air-conditioner units shall be rated minimum STC 24.
  8. Install all windows and doors in an acoustically-effective manner. This includes that the sliding window panels must form an air-tight seal when in the closed position and the window frames must be caulked to the wall opening around their entire perimeter with a non-hardening caulking compound to prevent sound infiltration. Exterior doors must seal air tight around the full perimeter when in the closed position.

**WHEN:**

All improvements shall be completed prior to occupancy of the building.

**WHO:**

The developer is responsible for completing all of the above mitigation measures.

**HOW:**

These measures shall be clearly marked and demonstrated in the plans submitted for building permits.

**EXTERIOR NOISE LEVELS**

Exterior noise levels exceed the suggested 60 db DNL for residential open space. Balconies at the first, second and third floor elevations have noise exposures of 65, 72 and 73 dB DNL, respectively. The Noise Sub-Element of the General Plan states that exterior noise levels that range from 60 to 75 dB DNL are conditionally acceptable provided there is detailed analysis of noise reduction requirements. The Sub-element

also states that "a quiet environment does not seem to be as important for small balconies. Small balconies have a low use rate and sometimes face a major roadway. Because small balconies are frequently above ground level, options for reducing the noise (beyond site plan considerations) are limited to enclosing the balconies with a glass shield. Enjoyment of these areas is reduced by the high glass shields, therefore, the City has not required achieving an Ldn of 60 dBA for small balconies." While the noise study suggested possible mitigation measures, they are not listed as required because this noise level is not considered "significant without mitigation" according to the policies in the General Plan.

The project itself, as a residential development, would not cause any permanent increase in noise level for the neighborhood.

#### POPULATION AND HOUSING

This project will introduce housing units where there was previously temporary lodging for hotel occupants. This change will not create substantial environmental impacts, as the total number of units shall be reduced in half and the possible noise and traffic impacts are less than the previous hotel use.

Diana O'Dell

2/24/04

Completed By

Date

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**City of Sunnyvale General Plan:**

2. Map
3. Air Quality Sub-Element
4. Community Design Sub-Element
5. Community Participation Sub-Element
6. Cultural Arts Sub-Element
7. Executive Summary
8. Fire Services Sub-Element
9. Fiscal Sub-Element
10. Heritage Preservation Sub-Element
11. Housing & Community Revitalization Sub-Element
12. Land Use & Transportation Sub-Element
13. Law Enforcement Sub-Element
14. Legislative Management Sub-Element
15. Library Sub-Element
16. Noise Sub-Element
17. Open Space Sub-Element.
18. Recreation Sub-Element
19. Safety & Seismic Safety Sub-Element
20. Sanitary Sewer System Sub-Element
21. Socio-Economic Sub-Element
22. Solid Waste Management Sub-Element
23. Support Services Sub-Element
24. Surface Run-off Sub-Element
25. Water Resources Sub-Element
26. **City of Sunnyvale Municipal Code:**
27. Chapter 10
28. Zoning Map
29. Chapter 19.42. Operating Standards
30. Chapter 19.28. Downtown Specific Plan District
31. Chapter 19.18. Residential Zoning Districts
32. Chapter 19.20. Commercial Zoning Districts
33. Chapter 19.22. Industrial Zoning Districts
34. Chapter 19.24. Office Zoning Districts
35. Chapter 19.26. Combining Zoning Districts
36. Chapter 19.28. Downtown Specific Plan
37. Chapter 19.46. Off-Street Parking & Loading
38. Chapter 19.56. Solar Access
39. Chapter 19.66. Affordable Housing
40. Chapter 19.72. Conversion of Mobile Home Parks to Other Uses
41. Chapter 19.94. Tree Preservation
42. Chapter 19.96. Heritage Preservation

**Specific Plans**

43. El Camino Real Precise Plan
44. Lockheed Site Master Use Permit
45. Moffett Field Comprehensive Use Plan
46. 101 & Lawrence Site Specific Plan
47. Southern Pacific Corridor Plan

**Environmental Impact Reports**

48. Futures Study Environmental Impact Report
49. Lockheed Site Master Use Permit Environmental Impact Report
50. Tasman Corridor LRT Environmental Impact Study (supplemental)
51. Kaiser Permanente Medical Center Replacement

Center Environmental Impact Report (City of Santa Clara)

52. Downtown Development Program Environmental Impact Report
53. Caribbean-Moffett Park Environmental Impact Report
54. Southern Pacific Corridor Plan Environmental Impact Report

**Maps**

55. City of Sunnyvale Aerial Maps
56. Flood Insurance Rate Maps (FEMA)
57. Santa Clara County Assessors Parcel
58. Utility Maps (50 scale)

**Lists/Inventories**

59. Sunnyvale Cultural Resources Inventory List
60. Heritage Landmark Designation List
61. Santa Clara County Heritage Resource Inventory
62. Hazardous Waste & Substances Sites List (State of California)
63. List of Known Contaminants in Sunnyvale

**Legislation/Acts/Bills/Codes**

64. Subdivision Map Act
65. Uniform Fire Code, including amendments per SMC adoption
66. National Fire Code (National Fire Protection Association)
67. Title 19 California Administrative Code
68. California Assembly Bill 2185/2187 (Waters Bill)
69. California Assembly Bill 3777 (La Follette Bill)
70. Superfund Amendments & Reauthorization Act (SARA) Title III

**Transportation**

71. California Department of Transportation Highway Design Manual
72. California Department of Transportation Traffic Manual
73. California Department of Transportation Standard Plan
74. California Department of Transportation Standard Specification
75. Institute of Transportation Engineers - Trip Generation
76. Institute of Transportation Engineers Transportation and Traffic Engineering Handbook
77. U.S. Dept. of Transportation Federal Highway Admin. Manual on Uniform Traffic Control Devices for Street and Highways
78. California Vehicle Code
79. Traffic Engineering Theory & Practice by L. J. Pegnaturo
80. Santa Clara County Congestion Management Program and Technical Guidelines
81. Santa Clara County Transportation Agency Short Range Transit Plan

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- 82. Santa Clara County Transportation Plan
- 83. Traffic Volume Studies, City of Sunnyvale Public works Department of Traffic Engineering Division
- 84. Santa Clara County Sub-Regional Deficiency Plan
- 85. Bicycle Plan

**Public Works**

- 86. Standard Specifications and Details of the Department of Public Works
- 87. Storm Drain Master Plan
- 88. Sanitary Sewer Master Plan
- 89. Water Master Plan
- 90. Solid Waste Management Plan of Santa Clara County
- 91. Geotechnical Investigation Reports
- 92. Engineering Division Project Files
- 93. Subdivision and Parcel Map Files

**Miscellaneous**

- 94. Field Inspection
- 95. Environmental Information Form
- 96. Annual Summary of Containment Excesses (BAAQMD)
- 97. Current Air Quality Data
- 98. Chemical Emergency Preparedness Program (EPA) Interim Document in 1985?)

- 99. Association of Bay Area Governments (ABAG) Population Projections
- 100. Bay Area Clean Air Plan
- 101. City-wide Design Guidelines
- 102. Industrial Design Guidelines

**Building Safety**

- 103. Uniform Building Code, Volume 1, (Including the California Building Code, Volume 1)
- 104. Uniform Building Code, Volume 2, (Including the California Building Code, Volume 2)
- 105. Uniform Plumbing Code, (Including the California Plumbing Code)
- 106. Uniform Mechanical Code, (Including the California Mechanical Code)
- 107. National Electrical Code (Including California Electrical Code)
- 108. Title 16 of the Sunnyvale Municipal Code

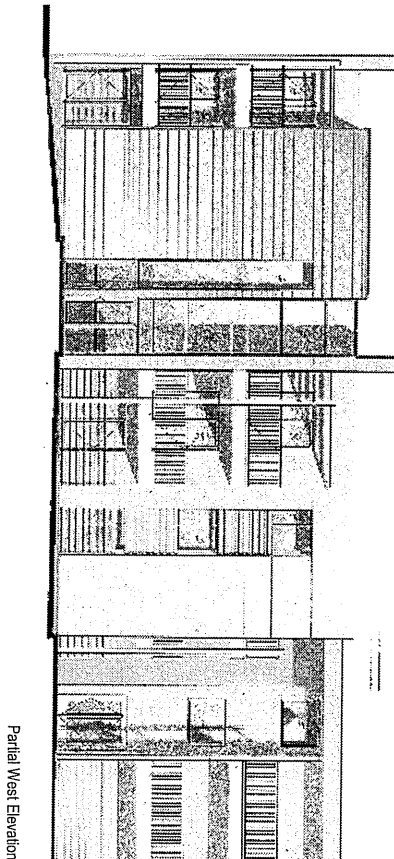
**Additional References**

- 109. USFWS/CA Dept. F&G Special Status Lists
- 110. Project Traffic Impact Analysis
- 111. Project Description
- 112. Project Development Plans
- 113. Santa Clara County Airport Land Use Plan
- 114. Federal Aviation Administration

A DEVELOPMENT BY: FIRST COMMUNITY HOUSING, INC.  
2 N. SECOND STREET, SUITE 1250 SAN JOSE, CA 95112

# 940 West Weddell Apartments

940 WEDDELL DRIVE, SUNNYVALE, CA 94089



Partial West Elevation

OJK Inc. Architecture + Planning

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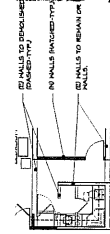


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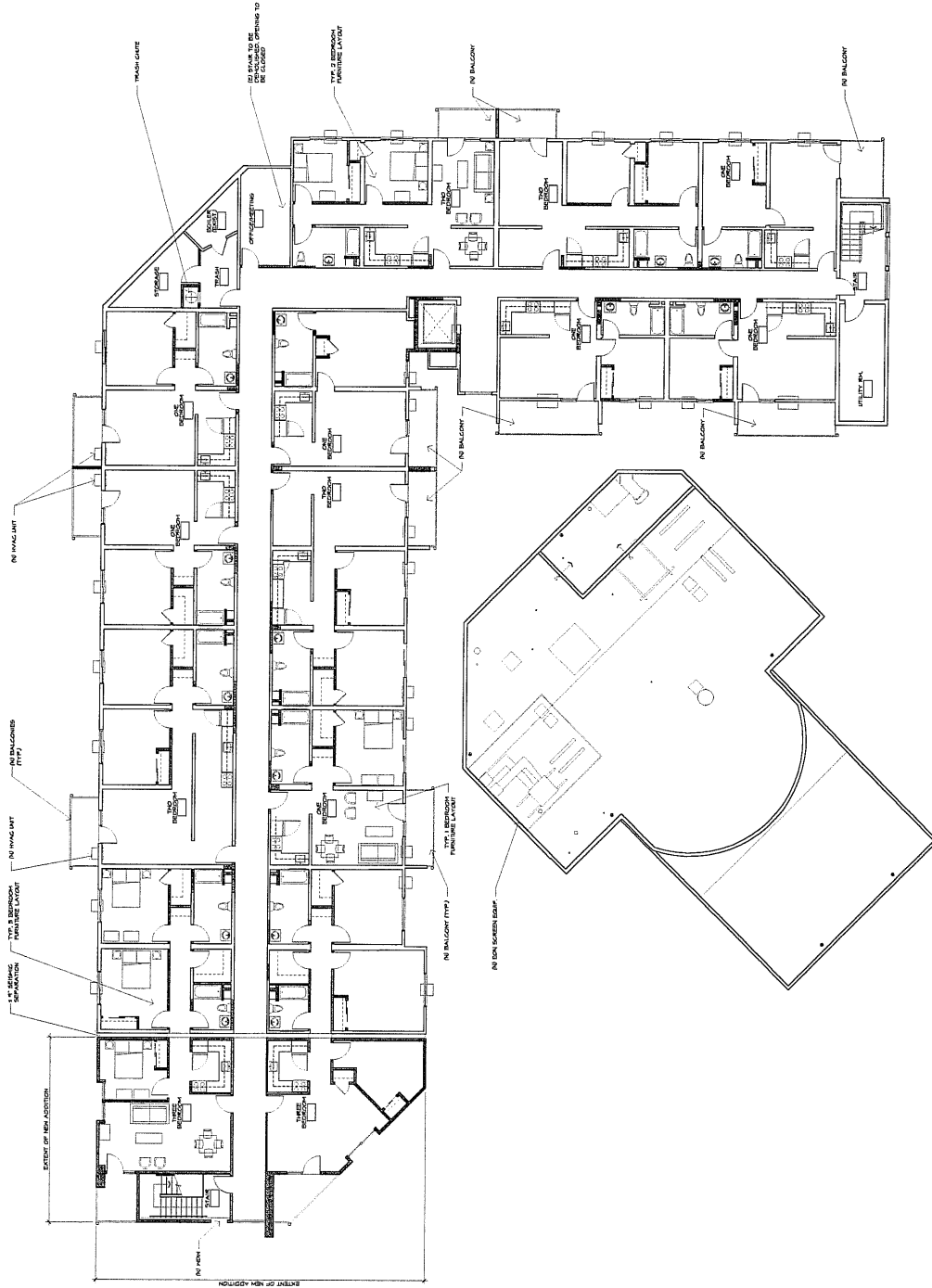
**Legend**



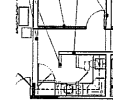
These findings, exact, and conclusions are published in the *DOs of Second Step*, 4th in a continuing series of reports from the National Center for the Study of Early Childhood Education. The report is available for immediate download (<http://www.ncece.org/DOs2ndStep/DOs2ndStep4.pdf>) or as a hard copy for \$25.00. The report is available in other languages (Spanish, Chinese, and Vietnamese) and is also available in a Spanish version (<http://www.ncece.org/DOs2ndStep/DOs2ndStep4Spanish.pdf>). The *DOs of Second Step* are available in Spanish and Vietnamese as well. The *DOs of Second Step* are available in Spanish and Vietnamese as well. The *DOs of Second Step* are available in Spanish and Vietnamese as well.

North  
Third Floor Plan  
SCALE: 1/8"=1'-0"

## Sheet Notes



puede

[illegible]

North

Roof Plan

SCALE: 1/8"=1'-0"

SCALE: 1/8"=1'-0"

(FOR HODOP PLAN  
REFER TO A 37)

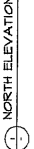
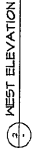
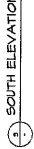
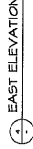
— (N) ELEVATOR PENTHOUSE

— 3 1/4" SEMI-  
SEPARATION

EXTENT OF NEW ADDITION

EXTENT OF NEW ADPTION

1. ALL WINDOWS AND EXTERIOR DOORS TO BE REPLACED  
UNO.







FOR REFERENCE ONLY

GENERAL NOTES

1. THESE ELEVATIONS ARE FOR INFORMATION ONLY. THEY ARE NOT TO BE USED FOR CONSTRUCTION. THE EXISTING BUILDING IS TO BE DEMOLISHED AND A NEW BUILDING IS TO BE CONSTRUCTED. THE EXISTING BUILDING IS TO BE DEMOLISHED AND A NEW BUILDING IS TO BE CONSTRUCTED. THE EXISTING BUILDING IS TO BE DEMOLISHED AND A NEW BUILDING IS TO BE CONSTRUCTED.

NOT FOR CONSTRUCTION  
EXISTING BUILDING ELEVATIONS

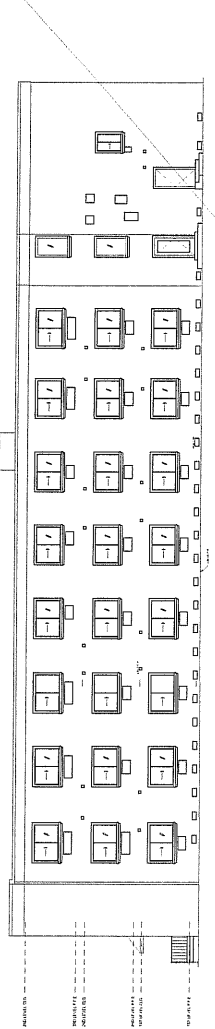
FIRST COMMUNITY HOUSING  
940 WEST WEDDELL DRIVE, SUNNYVALE, CA 94089  
ASBUILT, LLC

PH 800.313.0099  
ASBUILTSERVICES.COM

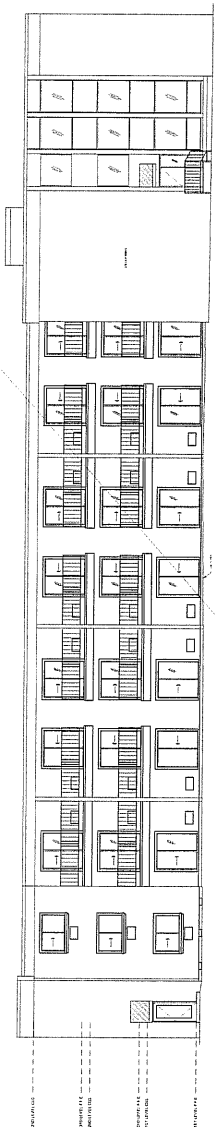
REV	BY	DATE	DESCRIPTION

SHEET NOTES:

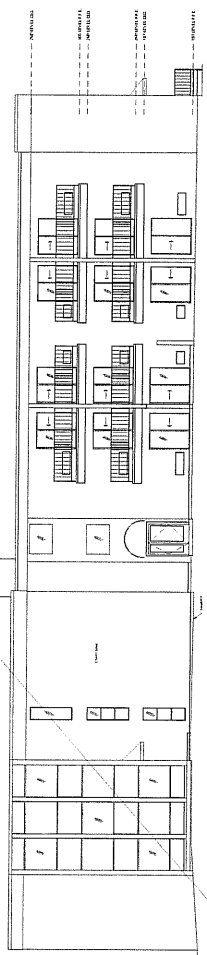
1. REFER TO ORIGINAL PERMIT SET DRAWINGS FOR DETAILS.



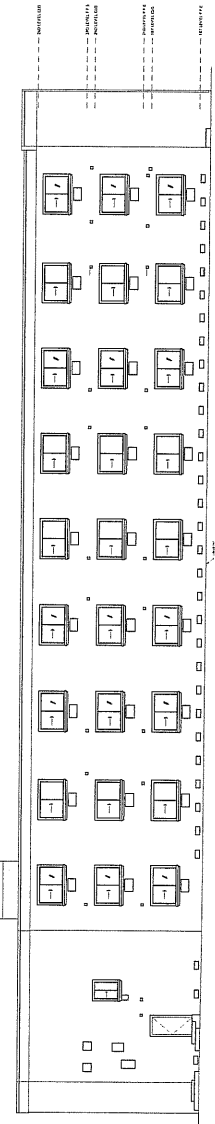
EXISTING EAST ELEVATION



EXISTING SOUTH ELEVATION



EXISTING WEST ELEVATION



EXISTING NORTH ELEVATION

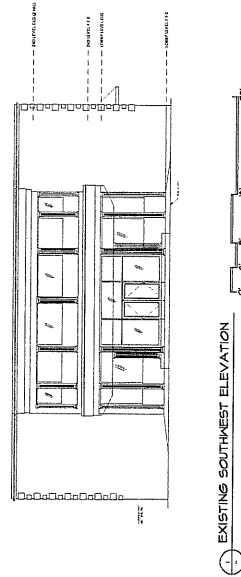
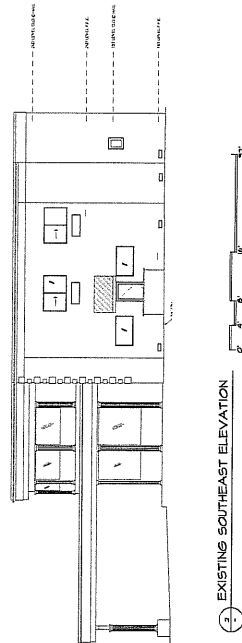
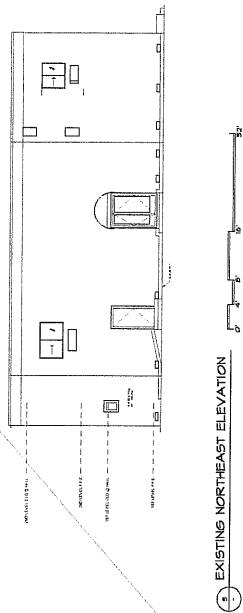
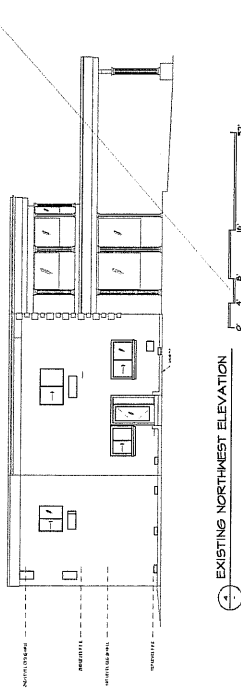
EXISTING CONDITIONS FOR REFERENCE ONLY

GENERAL NOTES

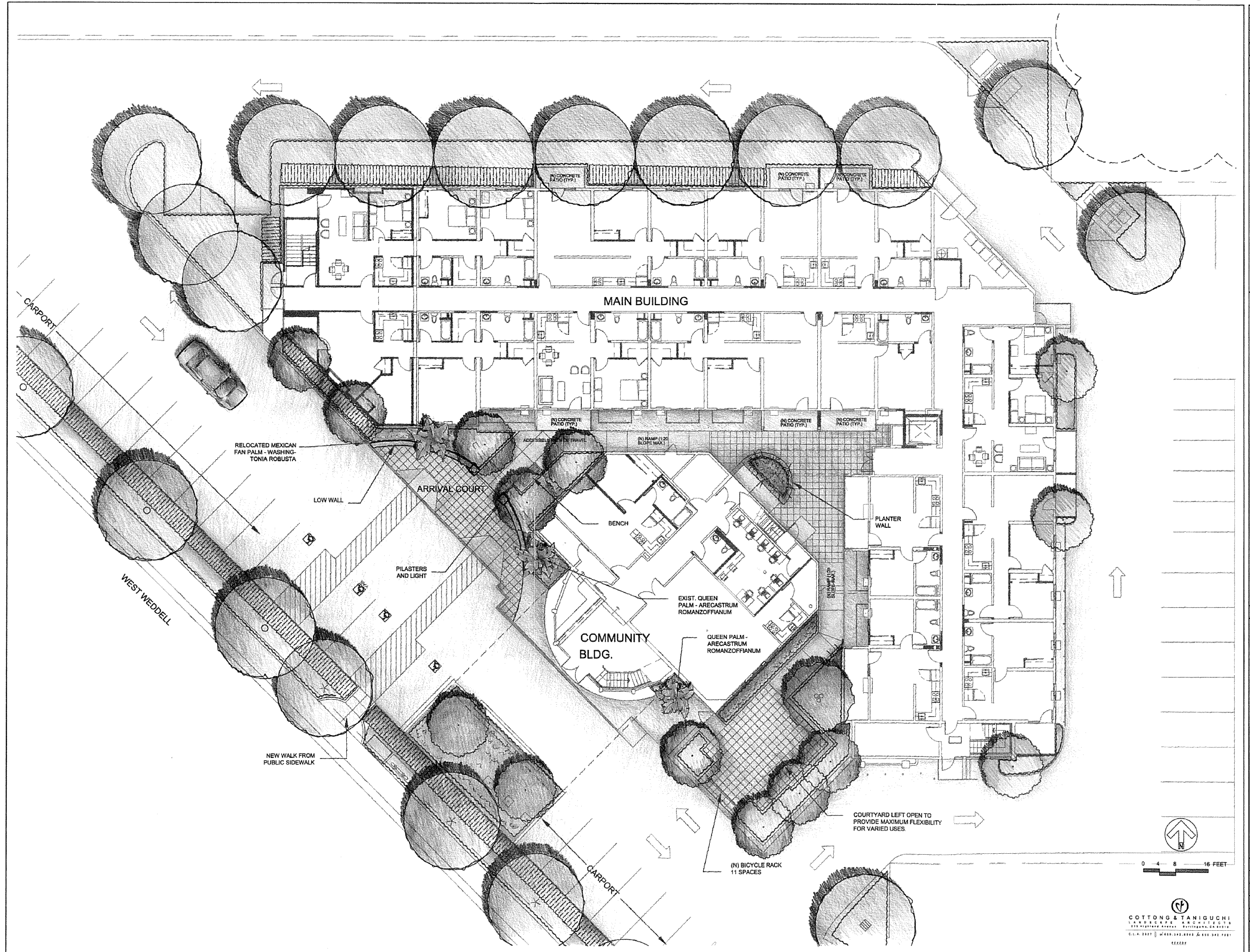
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**SHEET NOTES:**

1. REFER TO ORIGINAL PERMIT SET DRAWINGS FOR FURTHER INFORMATION.



EXISTING CONDITIONS FOR REFERENCE ONLY



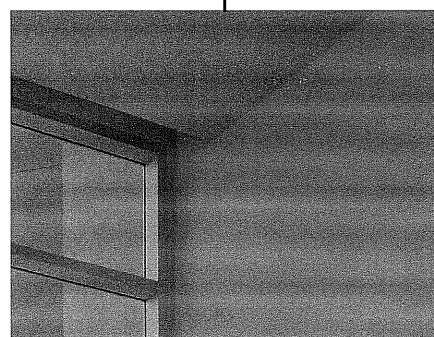
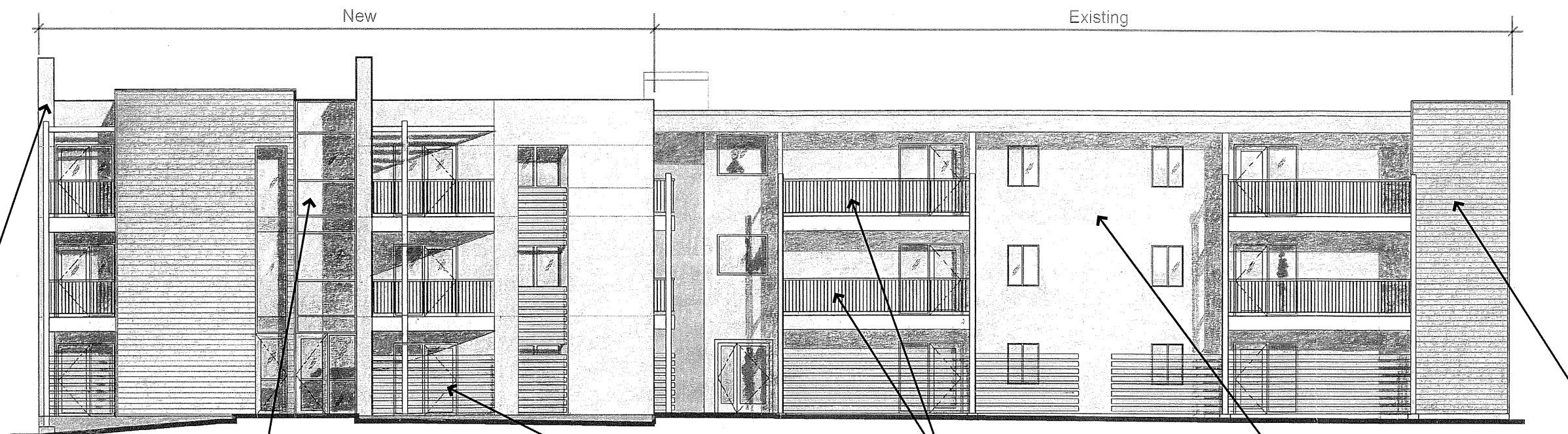
# 940 West Weddell Apartments

940 West Weddell Drive, Sunnyvale CA

## Exterior Materials/Color Board

F e b r u a r y 5 2 0 0 4

West Elevation of Main Building  
No Scale



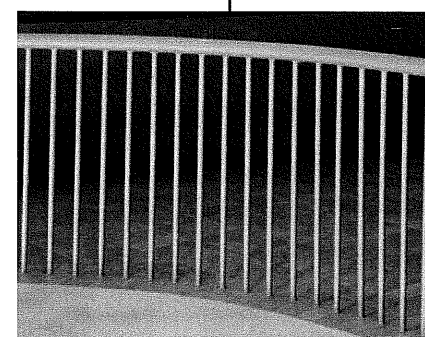
**New Fin Walls:**  
Plaster architectural fin walls painted "light lime" provide privacy to the new balconies and patios. They also provide a strong presence and delineation of the new addition as they accentuate and reinforce the fin wall vocabulary of the existing building.



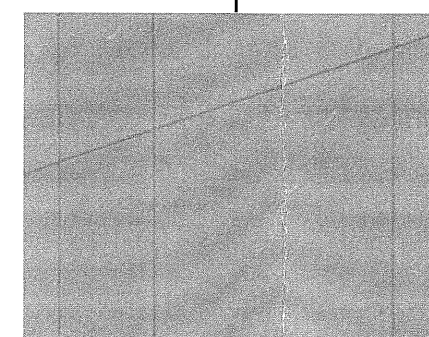
**New Glazing System:**  
Milled aluminum finished storefront with metal spandrel panels illuminates the new corridor end.



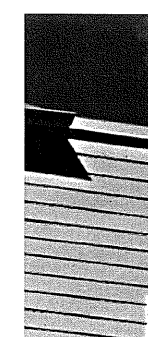
**Privacy Fences:**  
Privacy fences screen the windows and patios of the ground floor units. Screens consist of a wood-like composite material.



**New Guardrail System:**  
Metal guardrails with pickets painted "white" are used on the second and third floor balconies.



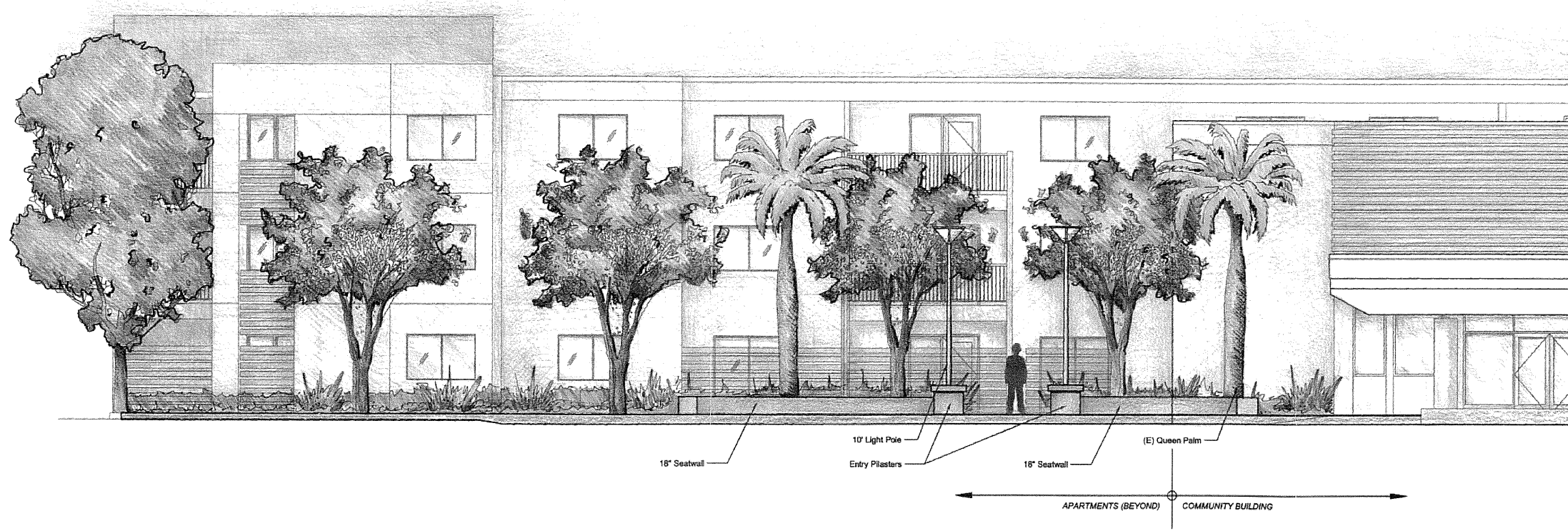
**Existing Walls:**  
Existing walls to be painted "light putty gray" to provide a new finish to the building.



**Stair**  
New stair enclosure Hardie™ finish, providing a new finish to the existing enclosure.

First Community Housing, Inc.

O J K Inc. Architecture + Planning



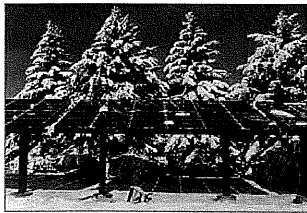
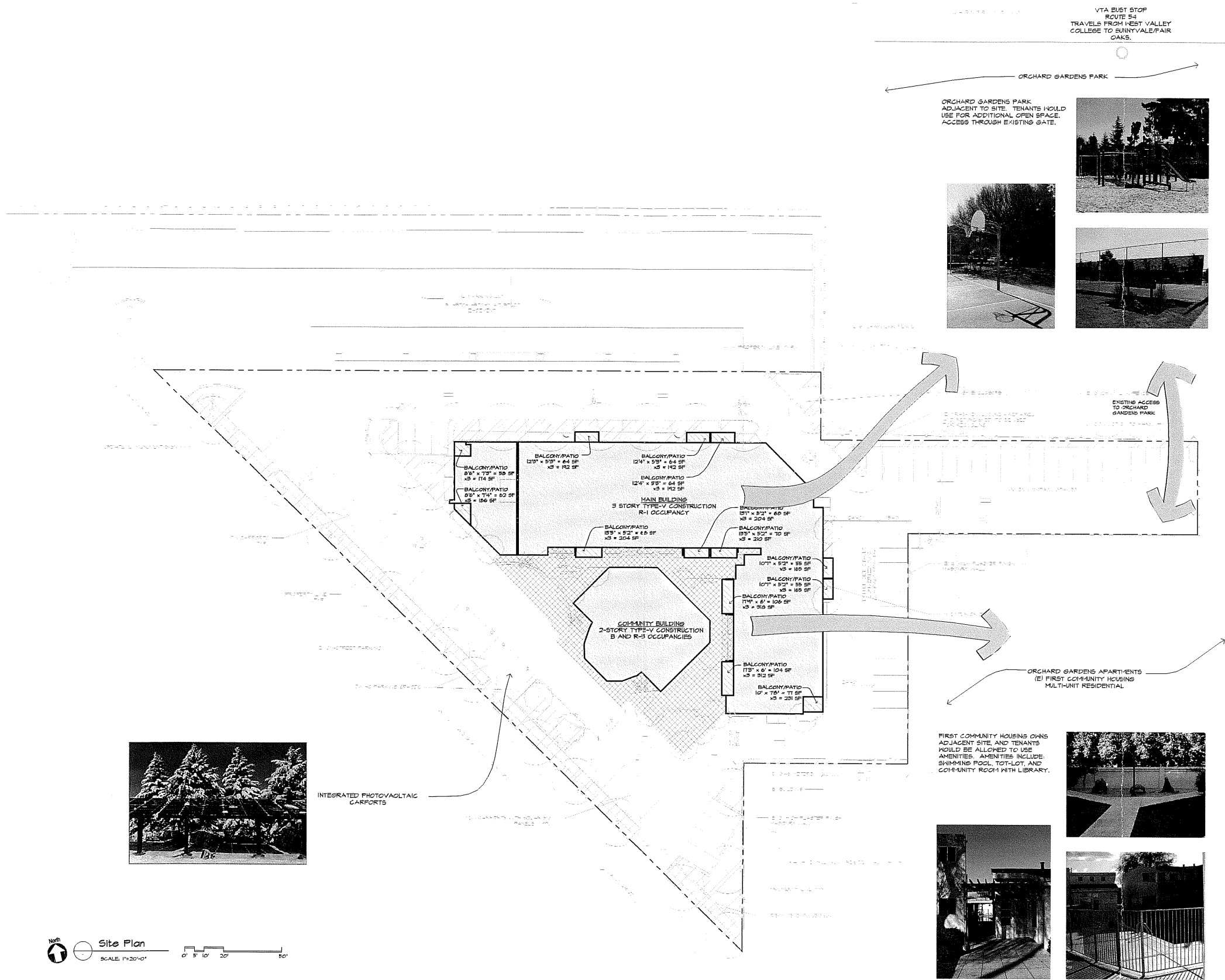


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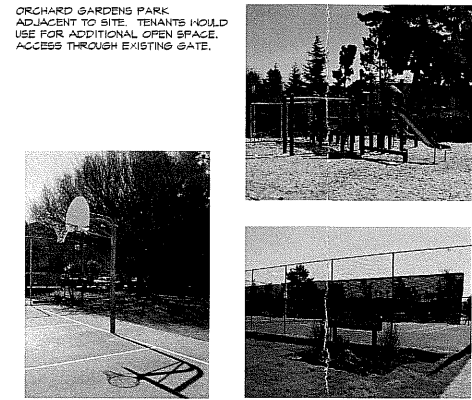


Proposed

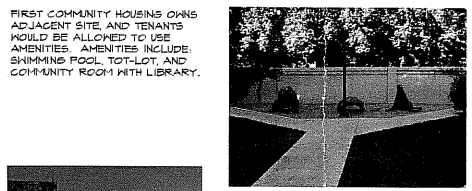
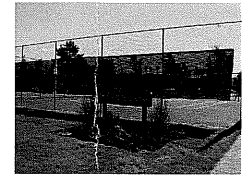
pg 18 of 18



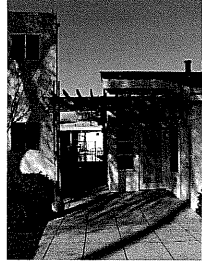
INTEGRATED PHOTOVOLTAIC GARPORTS



ORCHARD GARDENS PARK  
ADJACENT TO SITE. TENANTS SHOULD  
USE FOR ADDITIONAL OPEN SPACE.  
ACCESS THROUGH EXISTING GATE.



FIRST COMMUNITY HOUSING OWNS  
ADJACENT SITE, AND TENANTS  
WOULD BE ALLOWED TO USE  
AMENITIES. AMENITIES INCLUDE:  
SWIMMING POOL, TOT LOT, AND  
COMMUNITY ROOM WITH LIBRARY.



Sheet Notes

Legend

- LANDSCAPE AREA : 15,167 SF
- USABLE OPEN SPACE WITHIN LANDSCAPE AREA : 4,828 SF COURTYARD/ENTRY
- BALCONY USABLE OPEN SPACE : 2,730 SF TOTAL ± 70 SF AVERAGE - REFER TO PLAN FOR SPECIFIC SIZE

These drawings, all notes, and specifications were prepared by The Office of Jerome King, LLC in partnership with the City of San Jose. The City of San Jose is not responsible for the accuracy of the information provided in these drawings. The City of San Jose is not responsible for the accuracy of the information provided in these drawings. The City of San Jose is not responsible for the accuracy of the information provided in these drawings.

REVISIONS	BY

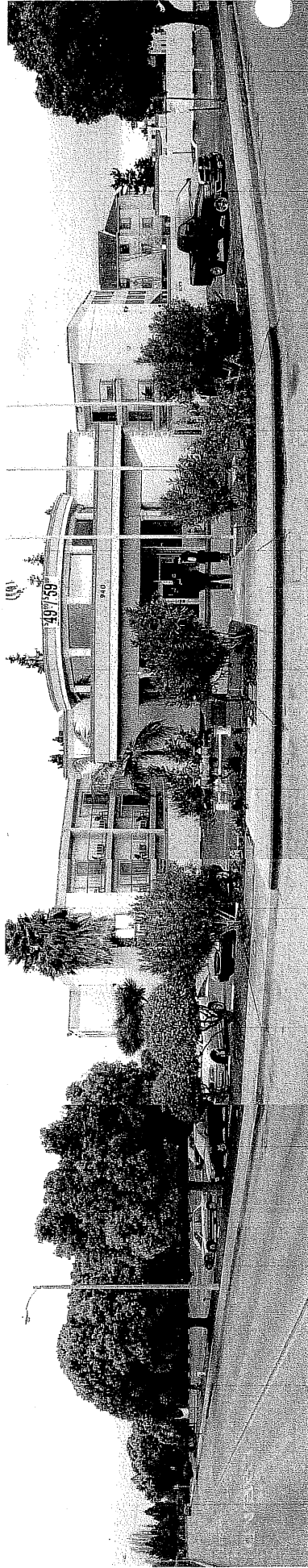
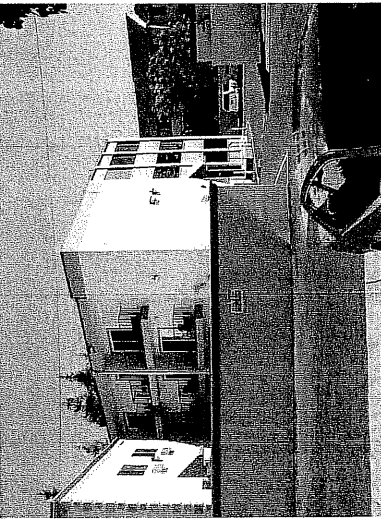
**OJK Inc.** Architecture + Planning  
97 East Saint James Street, Suite 42  
San Jose, California 95112  
T: 408.295.2210  
F: 408.295.2289  
e: ojk@ojkinc.com

**FIRST COMMUNITY HOUSING**  
**940 WEST WEDDELL APARTMENTS**  
940 WEST WEDDELL DRIVE, SUNNYVALE CA 94089

Issue: 10/05/2024

**Site Plan - Open Space/Adjacent Use Diagram**  
**NOT FOR CONSTRUCTION**

Date: 07/31/2023  
Scale: As Noted  
Drawn: WRT  
Checked By: x  
Job: x  
Sheet: SK-1.0



First Community Housing, Inc.  
 OJK Inc. Architecture + Planning

Site Photos

Surrounding Uses for 940 W. Weddell

Legend

Park Facilities

City Park

Future Park

Bus Stops

Light Rail Stations



Future Park

SRQ  
Affordable  
Units





Executive Director  
**Jeff Oberdorfer, AIA**

**DIRECTORS**

Board Chairman

**Gary J. Schoennauer, FAICP**  
*Principal*  
The Schoennauer  
Company

**John Brezzo**  
*General Partner*  
DKB Homes

**John Burns**  
*Retired Executive Director*  
Santa Clara County  
Housing Authority

**Richard Conniff**  
*President and COO*  
Heritage Commerce Corp

**Gilbert M. Garcia**  
*Partner*  
Garcia Teague  
Architecture + Interiors

**Emma Pena Madrid**  
*Counsel*  
Marquez Brothers International

**David Neale**  
*President*  
Core Development

**Richard Roth**  
*President and CEO*  
San Jose Water Company

**Larry Wallerstein**  
*Investment Broker*  
BT Commercial Real Estate

**2 North Second Street**  
**Suite 1250**  
**San Jose, CA 95113**

Telephone:  
**408-291-8650**  
Fax:  
**408-993-9098**

**[www.FirstHousing.org](http://www.FirstHousing.org)**

February 5, 2004

Fredrick Bell  
Principal Planner  
City of Sunnyvale  
Department of Community Development  
456 West Olive Avenue  
Sunnyvale, CA 94088-3707

**Re: 940 West Weddell Drive**

Dear Mr. Bell,

First Community Housing is pleased to present our application for the adaptive reuse of the former Sunnyvale Inn into a 42-unit multifamily housing project. This application formally requests the City of Sunnyvale to review and approve the Special Development Permit for a planned development, the Rezoning (from C2 to PD(R4)) and General Plan Amendment (Commercial to Multifamily Residential), and the Mitigated Negative Declaration of environmental impacts for this project. In support of this request, this application includes the following documents:

- ✓ Project Description (included in this letter)
- ✓ Special Development Permit Justification (in this letter)
- ✓ Explanation of requested exceptions to city standards (in this letter)
- ✓ Application Submittal Checklist
- ✓ Application for Planning Commission/Administrative Hearing
- ✓ Project Data Table
- ✓ Environmental Information Form
- ✓ Phase I report
- ✓ Asbestos Survey
- ✓ Sound Study
- ✓ Table comparing city requirements to proposed project with explanation.
- ✓ Application fees for Special Development Permit (\$2,091), General Plan Amendment (\$2,726), Planned Development (\$1,363), Environmental Assessment (\$411), **Total Check enclosed: \$6,591**
- ✓ Global Green Case Study

940 West Weddell will be a planned development whose planning standards are adapted to reflect both the new use of the property and the existing site constraints. Development standards used in this planned development are compared to the R4 zoning Standards. Since this project does not result in a net increase in impervious surface, the NPDES Permit Provision Data form is not included in this application. The rest of this letter will discuss the project, explain exceptions to city standards, and justify the Special Development Permit.

## **PROJECT DESCRIPTION**

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940 West Weddell Drive is an adaptive reuse which will revitalize this blighted corner containing a motel that is no longer financially viable, Sunnyvale Inn, and create a 42-unit multifamily housing development that serves the needs of Sunnyvale's very low and extremely low income families who earn at or below 40% of the area median income. This project is a logical extension of the other multifamily uses adjacent to the property. The site is convenient to recreation uses such as the City of Sunnyvale's Orchard Park and an off-street bicycle path. 940 West Weddell Drive is convenient to the bus transit network and is approximately one mile from the Fair Oaks Station on the VTA-light rail system. All residents of the new housing development will receive free annual EcoPasses provided by First Community Housing, encouraging the use of public transportation to reduce traffic congestion and reduce the impacts of car exhaust emissions to air quality.

This development will improve two structures, including façade improvements, incorporation of green building features, and conversion of existing hotel rooms into efficient one-, two-, and three-bedroom floor plans:

- A three story "V" shaped building with double-loaded corridors of hotel rooms will be converted into fewer one, two and three bedroom units. Every new dwelling unit in this building will be 100% ADA adaptable. The majority of the rooms will be located in the three story structure. An addition on the north wing of the three story structure will add six three-bedroom units. This conversion will also include the replacement of an obsolete elevator to meet ADA standards.
- The second building is a two-story structure with a front desk and lobby area on the first floor, and second-story units accessible by interior lobby stairs and a rear fire exit. This building will be renovated to include a classroom/common area, interview rooms and a computer lab. One income-assisted unit will accommodate in-house management staff.

The existing site is hard-scaped with parking. The new site plan accentuates the improved circulation from the main parking area to the accessible entries of the two buildings. These exterior transitional spaces bring visitors and tenants between the two existing buildings while providing quiet spaces to sit and read, or a larger courtyard space for birthday parties or other events. The site plan also illustrates new landscaped areas around the perimeter. These areas provide a buffer around the newly added patios and balconies and the parking.

## **ANALYSIS OF CITY REQUIREMENTS**

---

This project is an adaptive reuse of an existing structure. The physical location of the building, parcel size and plan geometry all pose physical limitations which necessitate the flexibility of PD zoning. The attached matrix outlines the various city standards we used as a measure of this project. We used the R4 zoning as a default development standard for 940 Weddell Drive. We also prepared environmental studies, and examined relevant municipal codes and the Citywide design guidelines to measure this development. In most cases, the building did comply with all of these standards. For example, the base building conforms with all setbacks, height and lot coverage requirements. We are requesting several exceptions to city standards, as outlined below.

- This project does not provide 300 cubic feet of separate lockable storage per dwelling unit due to (1) the state TCAC requirement to provide classroom and service space within the building, (2) the existing constraints of this structure and configuration.
- The sound study for 940 Weddell shows that balcony space does not meet the City's sound attenuation standards. Although all of the interior spaces have been reworked to comply with this study, it is physically and functionally impractical to enclose the balconies to comply with this standard. The only alternative would be to eliminate balconies entirely which conflicts

with the private open space requirements this project affords and greatly reduces the quality of life of tenants who could otherwise enjoy this private space.

- The wall-mounted exterior lighting in this project is higher than current ordinances allow. This lighting is, however, an existing condition on the facility and is, therefore, grandfathered from the ordinance.
- The project's trash enclosures are set within the rear setback of the site due to the constraints the odd shape of this parcel affords.
- This project has 71 spaces rather than the 73 spaces the R4 default zoning standard requires. We believe that there are practical constraints to adding the additional spaces, given the physical layout of the building within the parcel. Furthermore, this project will provide every resident with a free EcoPass to promote the use of public transit; EcoPass holders can ride bus and light rail systems throughout Santa Clara County.
- Currently, 940 Weddell has minimal landscaping but has several mature and healthy street trees. This adaptive reuse will add park strips, trees and landscaping to enliven the limited open space contained within this site. The project will also increase the size of balconies to make them ADA compliant. Each unit will average 70 square feet of private open space. The three dwelling units on the two-story structure do not have enough clearance from the adjacent three-story structure to make balconies practical. Although the public open space onsite is limited to the common areas between these two structures, the project is adjacent to Orchard Park and connected via a gateway to the park's western side. We believe that Orchard Park provides the open space this type of development needs and meets the intent of the City Wide Design Guidelines. In addition, residents of 940 Weddell will be able to use adjacent pool and tot-lot facilities in First Community Housing's Orchard Gardens development.
- The proposed landscaping was limited by the constraints associated with parking needs and the shape of the site in relationship to existing structures. Specific exceptions are covered in the attached matrix. As this matrix shows, only one tree is to be removed, and that tree will be replaced by 33 other trees. The landscape buffers along the edge of the site are smaller along Weddell Drive to accommodate the sidewalk and to allow for both emergency vehicle access and parking onsite. For this same reason, there are no buffers on the north or eastern edges of this parcel and added buffers along the edges of the structure are limited in size.
- Although the parking lot exists, and there are exceptions in the municipal code for pre-existing surfaced parking lots, we were able to add additional trees which should, at their 15-year canopy, shade approximately 25% of the lot. Please see the attached matrix for specific details outlining the exceptions to design guidelines and/or ordinances this plan proposes.



# Santa Clara County Housing Action Coalition



*The Santa Clara County Housing Action Coalition is comprised of a broad range of organizations and individuals who have, as a common goal, the vision of affordable, well-constructed and appropriately located housing*

March 17, 2004

Planning Commission  
City of Sunnyvale  
456 West Olive Avenue  
P.O. Box 3707  
Sunnyvale, CA 94088-3707

Dear Members of the Planning Commission:

On behalf of the Santa Clara County Housing Action Coalition we are writing to express our support for the *conversion of the Best Western on Weddell Drive to affordable housing developed by First Community Housing*.

By way of reference, the Housing Action Coalition includes more than 100 organizations and individuals. Its goal is the production of well-built, appropriately-located homes that are affordable to families and workers in Silicon Valley. Organizations participating in the HAC include the Silicon Valley Manufacturing Group, the Home Builders Association, Greenbelt Alliance, the Sierra Club, the League of Women Voters, numerous local governments, several chambers of commerce, Santa Clara County Association of Realtors, Tri-County Apartment Association, and the Affordable Housing Network.

The Housing Action Coalition is excited by this proposal for a number of reasons. Not only will the proposal provide much needed affordable housing, it fills an even more important need for a specific and type of affordable housing that tends to be difficult to get approved and financed— housing for very low and extremely low-income families. And, please note the very deliberate use of the term “families.” Subsidized homes for very low income families, as opposed to SRO’s or senior housing, are one of the greatest needs in our Valley.

This proposal is unique in that it would convert an existing and underutilized hotel into something that is desperately needed. One of the biggest challenges for cities in building affordable homes is identifying land and space that is financially feasible, appropriately located and that doesn’t upset surrounding neighbors. This parcel meets that criteria. Additionally, this parcel is adjacent to an existing property by First Community Housing which means they will be able to streamline the management of the two properties and ultimately more efficiently use our tax dollars. The property is also adjacent to an existing park and bikeway and is not far from major job centers in Sunnyvale.

It is also important to note that First Community Housing, one of the most innovative and respected nonprofit housing developers in Silicon Valley, provides Ecopasses to all its residents. This form of transportation demand management (TDM) is a vital tool in helping to lessen the reliance and need of future residents on the automobile. For a family making 20% of the area median income, the added expense of an automobile is a huge burden. By providing Ecopass to all residents, First Community enables its tenants to move towards

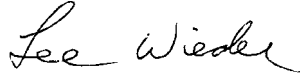
financial stability. As well, this form of TDM helps reduce traffic congestion and the need for our valuable land resources to be consumed by unneeded parking spaces.

The Housing Action Coalition believes this is a wonderful opportunity to help the community meet a vital need for affordable homes. Thank you for your consideration of our comments.

Sincerely,

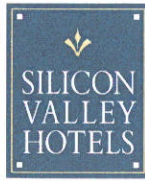
A handwritten signature in black ink, appearing to read 'Tim Nieuwsma', with a stylized flourish extending to the right.

Tim Nieuwsma  
*Housing Action Coalition Co-Chair*  
Synergy Properties

A handwritten signature in black ink, appearing to read 'Lee Wieder', with a stylized flourish extending to the right.

Lee Wieder  
*Housing Action Coalition Co-Chair*  
Access Partners

cc: Jeff Oberdorfer



March 11, 2004

Diana O'Dell  
Senior Planner  
City of Sunnyvale  
456 West Olive Avenue  
Sunnyvale, CA

***Re: 940 West Weddell Drive***

Members of the Planning Commission and City Council:

I am the current owner of the Best Western Sunnyvale Inn on 940 West Weddell Drive, the property you are now considering for approval as a residential adaptive reuse. I am writing this letter to urge your support of this worthy development and highly professional development team.

I have been a member of the Sunnyvale business community for many years and have managed this property for 10 years. Due to the economic downturn, this property has consistently rented at 20% occupancy. This parcel is no longer economically viable as a hotel use. Furthermore, because of these vacancies, it is becoming increasingly challenging to maintain the level in quality of the property that Best Western guests expect. We actually close our doors to walk-in guests after 10 PM in an effort to maintain the safety of our guests and the quality of our franchise.

I know, based on decades of experience in real estate and careful analysis of this property, that it is best suited for residential apartment uses. This site is simply not suitable for office or retail or industrial use and is clearly not a profitable hotel property.

I decided to work with First Community Housing, in part, because of my experience with them in their development of the adjacent Orchard Gardens site. I know that they deliver quality, well managed housing.

I can say, based on my dealings with First Community Housing on this project that they are a very capable development team. I am sure that their project will both revive this area and continue to meet the high standards First Community Housing has expected of its other projects.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Vimal Kumar', written in a cursive style.

Vimal Kumar  
General Partner

